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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R.MASCIO......
......Deputy City Clerk

Pittsburgh, PA Tuesday, June 18, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. Onorato (Pres't)

The Chair:

Good morning, everyone. City Council's Legislative Session will now come to order.

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world and our communities.

We are very pleased to have a young man here this morning, Jeffrey Lang, he's a student, he just finished the 2nd Grade at John Morrow School on the North Side. He's from Councilman Dan Onorato's District and he's accompanied by his parents, Lynn and Chris Lang, and his sister Lauren, and he's related to our own Dorry Lang from Councilman Onorato's Office.

And, Jeffrey is going to lead us in the Pledge of Allegiance. Jeffrey.

Jeffrey Lang:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Thank you, Jeffrey, you did a great job. We hope you have a safe and enjoyable summer. We thank your family for coming down here this morning, and our City Clerk would like to present you with the flag of our nation and the flag of our City. Thank you very much.

PRESENTATIONS

The Chair:

We have a number of guests in the audience this morning, but before I call on our other colleagues and Council Members, we do have guests here, I do want to acknowledge a tremendous even today, probably nobody even knows it, and that's the birthday of our own Councilwoman Valerie McDonald. And, I would like to wish her a happy birthday. Now because we made her blush, we're not going to actually sing her "Happy Birthday" this morning, but we want to all wish her a warm, warm happy birthday and another hundred more.

Ms. McDonald:

You're going to get it, Jim. Thank you.

The Chair:

Thank you.

Again, we have a number of guests in the audience. At this time I would like to call on our birthday Councilwoman Valerie McDonald.

Ms. McDonald:

I didn't do anything to Ferlo, I don't know why he's harassing me, I'm innocent.

I would like for Stan Rideout and all of his family and guests to please come forward to receive a resolution -- yes, you -- to receive a resolution.

Mr. Onorato:

Stanley is this your family or one of the high schools.

Mr. Rideout:

We wanted this to be a peaceful --

The Chair:

I'm glad schools out today.

Ms. McDonald:

Thank you very much, you all, you did a good job, good job, I feel like I'm in school. Excellent.

This is to Stan Rideout, and most of us do know who the infamous Stanley Rideout is. He is officially retiring from the Pittsburgh Board of Education from being the Chief of Police and Security out there, after how many years -- I'll find out when I read the resolution, but there's a whole bunch of years there. And, I thought it was fitting, since I think that the City of Pittsburgh and our Police Bureau has worked very closely with the Pittsburgh Public School Security and the police officers out there, it's necessary that they work together, especially during school time and summer school. I was the told will start the beginning of July, that will be a time to work together, but I'm sure that, just like last year, it will be very peaceful, and I think it's due to the tone that Stan Rideout sets.

I first want to introduce all the family and friends before -- I was given a full list by my Chief of Staff. We have -- just raise your hand like you're in school almost. Darlene Harris, we have -- is it Sonia Thacker, Suzanna Rideout, who is his daughter, Harry Rideout, who is his brother, is it Vina -- that's it, Vina -- first time I met her -- Vina Rideout, who is the

wife, she's the one who puts up with him, Jim Rideout, his son, Lieutenant Joe Johnson, everybody knows Joe, Dewayne Williams, Marion Smith, Frank DeBartolo. Cheryl Ligions -- I probably pronounced it wrong, just let me just move forward, even if I mess it up, just leave it -- Rich Hurt, Mark Williams, Mike Masilon, Dave William Jakzinka. Linda Pastori. Reynolds, and Elaine Crable. If I messed up your names, I'm sorry, but I at least got your first names right. Oh, where's Dr. Benz. Oh, there. Henry, Dr. Benz. Oh, I'm sorry, Cheryl Bizzale, Nick Wagner. Thank you. Oh. Thelma Morris. Councilman Udin's District. Thelma is here, she's not yet retired. Just great.

I'm going to read the resolution.

MS. McDONALD PRESENTS

No. 720 WHEREAS, on Friday, June 21, 1996, Stanley & Rideout, Chief of Safety for the Pittsburgh Board of Public Education, will be honored for 25 years of dedicated service at the Greentree Marriott Hotel; and,

WHEREAS, during the course of the school year Stanley Rideout has been responsible for the satisty of over 41,000 students and 106 building. Assisting Mr. Rideout with this diffuse task has been a staff of 76 full-time personnel, and 30 parttime security personnel, and

WHEREAS, Stanley Rideout has initiated several student oriented programs which include the student vandalism patrol, the youth crime watch program and the student security aide program. He has also published several articles in the National Security Publications and has

held numerous conferences on school security; and,

WHEREAS, Stanley R. Rideout has been married to Vina Crable for 39 years and is the proud father of four children, namely Suzanna, Rex, Jim and Lee.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Stanley K. Rideout on his distinguished retirement after 25 years of outstanding service to our school students and to the community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares June 18, 1996 as "Stanley K. Rideout Day" in the City of Pittsburgh in recognition of his commitment to keep our children safe.

SPONSORED BY COUNCIL MEMBERS VALERIE A. McDONALD, DAN COHEN, JOE CUSICK, ALAN HERTZBERG, BOB O'CONNOR, DAN ONORATO, GENE RICCIARDI AND SALA UDIN

MS. McDONALD moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Ms. McDonald:

And, his brother Eddie. You all look alike.

Mr. Eddie Rideout:

He told me 10:30.

Ms. McDonald:

Sounds just like Stan, too. That's all right.

The Chair:

Then you're early.

Mr. Rideout:

My dear friends, Ms. McDonald, Mr. President, Council Member, dear family and dear friends and co-workers and other guests, indifference to the way we do things at the Board, I'm going to try to make my remarks three minutes. So, you won't have to pull the light on me.

I would like to, of course, acknowledge my sincere appreciation for this honor, also to announce that my dear wife requested, which means demanded, that I retire before I rusted out or wore out. As you can see, I am an obedient husband.

This has been a long, a fantastic ride, made somewhat successful mainly because of the cooperation and supports from all segments of the Pittsburgh community, from Gene Khoury, who convinced Dr. Kishkunas in 1971 that I was the man for the job, to Mugsy Moore, who held the job for three weeks and gave it up because all of the confusion at the Board, and he spent an afternoon with me telling me of all the pitfalls that I should avoid. I tried. This has been a tricky job, especially when I believe that the public, especially the parents, have the right to know.

To Mayor Flaherty and Louise Brown, who gave the School District and me over four and a half million dollars to hire over 200 Community Security Aides in the days of PEP and CETA, to Clyde Jackson, my dear departed friends, Clyde Jackson, to Pastor Kokenda from the Lower North Side, to Dr. Roberta Shore, to Dr. Herman Reed, and to countless others I owe so many thanks. But, I guess I owe most of those thanks to the thousands of students, because when I came we had 70,000 students. I owe most of my thanks to them, the 98 percent of the students who go to school for the real reasons, they are my heroes, and I would like to tell them, past and present, students I always tried, but more importantly, I cared.

Thank you very much.

Ms. McDonald:

Now who would like to speak from the family, security, anyone would like to have some words. Boy, this is a quiet group.

Mr. Rideout:

May I ask Dr. Benz, my last of many good bosses.

Dr. Benz:

On behalf of the Pittsburgh Board of Education, we want to express our sincere appreciation for all the things that Stanley Rideout has done for the Pittsburgh Public Schools, without him it sure would have been a bumpy ride, much bumpier than it has been, and we look forward to all the benefits we've derived from his experience and from his influence

on the way that we do business at the School District. Thank you all very much.

Mr. Organ:

Mr. Rideout, I'm sure this is a surprise because I know you didn't expect me to come up here and speak.

Mr. Rideout:

Yes, I did.

Mr. Organ:

But, for those of us that were able to know Mr. Rideout when he did community work in the Beltzhoover, South Side area -- and, I'm going to take Mr. Rideout back, and I'll be brief. Uncle "Toe", if I may call you that -- a lot of us know him as Uncle "Toe". Mr. Rideout exemplified leadership, character and just a lot of sound things that a lot of younger men my age, used to look up to Mr. Rideout, he used to have a mean left hook up in the YMCA in Knoxville.

But, I wanted to say this, Mr. Rideout, on behalf -- I'm sure I can speak for all your fellow employees, that we've all learned something from you, we've all grown because of you, and I can seriously say, we all love you. Thank you.

Mr. Rideout:

Thank you very much.

Unidentified Speaker:

I've been already threatened.

I want to say to my uncle, my hero and the man that has made the schools

wonderful and I put my children in his trust, I love you, congratulations, and, hey, you made it good, life's beautiful.

Ms. McDonald:

Would any of my colleagues --

The Chair:

Councilman Udin.

Mr. Udin:

Mr. President, I would like to be first to thank Mr. Rideout for 25 years of distinguished service in a job that did not carry with it the popularity that some other choices that you could have made but you stepped up to the challenge, not only that, you've provided a very high standard of professionalism and dedication that will create some very large shoes for others to fill, whoever will follow you. The candor and courageous and outspokenness that you have always demonstrated, I think is mark of a genuine man with genuine commitment and I would hope that whoever fills your shoes will walk in the same path. Education is a debt that we owe to future generations and I know that's why vou were there at the Board of Education, not just for the pay but because you're committed to kids and to public education and I thank you very much for it.

Mr. Rideout:

Thank you very much, sir.

The Chair:

Thank you.

Ms. McDonald:

Councilman Cusick.

The Chair:

Councilman Cusick.

Mr. Cusick:

Thank you.

I got to know Mr. Rideout some 20 years ago, 1976, when Brashear High School opened its doors, and it was a real strange world for a lot of us, first time we were integrated, and it was a time when Mr. Rideout came to all of us and really brought us altogether, you played a very important part. You mentioned a name that was very important in your career, and that's Eugene Khoury, and he was a very important influence in my life, and I often talk to those people, and the Francis Burkes, and the other Administrators, I still have a relationship with them, and it was -- and I'm able to keep that relationship also with you, and it has been nice.

And, just last week, walking down the street, there was a very unfortunate situation going on at Carrick High School, and Mr. Rideout, very quickly, and his staff, were right on the scene, and that shows your commitment, and I just want to thank you for your years of service.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Mr. Rideout, how you doing.

I just want to thank you. I got to know you much better the last couple years, mostly at Allderdice, and I was so impressed with your coolness and fairness, and above all your knowledge of where the kids were, what they were doing on Saturday night, where they came from, who was a potential problem, who wasn't, and how to co-exist and mingle the very diverse group of youngsters, and we have had nothing but satisfaction, and you really turned a tough situation, maybe two vears ago, around, but now it's an ideal situation, and I think it was your leadership that really brought it together, and I want to thank you.

The Chair:

Councilman Onorato.

Mr. Onorato:

Mr. Rideout -- Stanley, if you don't mind.

Mr. Rideout:

No.

Mr. Onorato:

-- if you think about 1971 till now, they were some rocky and turbulent years in the Public Schools in the City of Pittsburgh, and the one thing I can say, before I even knew you, before I was elected and was in the public light, is that when all of the big issues hit the radio stations and newspapers, you seem to always be the voice of reason and never wavering on your principles, and that is, the majority of these kids are good and you're going to reward and make sure that

you keep these schools safe for these kids that want to be educated, and for a how society has changed in those last 25 years, you never wavered on those principles, and I think we're all for the better for it, and I want to thank you that.

The Chair:

Councilman Cohen.

Mr. Cohen:

I won't be too long. We all have our experiences certainly with Stanley Rideout and I think they've all really been positive experiences, and I just wanted to add my voice to congratulate you on many, many years of fine service. I've had the privilege of working with you on a few recent instances. I realize many of us are talking about more recent ones, we won't go back to the older ones, but at Liberty School, certainly Reizenstein, and I always found that you approached every problem. because they're usually always problems, with dignity and with class, and when you spoke -- I agree with Councilman Onorato -- when you speak, you have credibility and people believe you, and you know that and you always were able to make sure that when you spoke you said something that made kids want to aspire to be responsible, and that's, of course, what we all want to do as adults, but you have the ability to do that, and I just congratulate you and wish you the best on your retirement.

Mr. Cusick:

I just want to add something I think is real important. Back some 20 years ago, Mr. Rideout, when children were having problems in school, he found a unique way

of getting them involved in school, and that was by creating a student security, and it was a way that the -- I guess the disenfranchised from the school were -- got to meet some of the security. I know most of his staff and -- that's frightening -- but I new them on a good term.

Ms. McDonald:

Oh, Joey, don't go there.

Mr. Cusick:

Yes, I know.

But, I got to know the Darlene Harrises, the Brenda Harris and the Sals and, you know, Danny Griffin, God, before he got into that, and I think that is a unique program and one that you need to be complemented on. Thank you.

Ms. McDonald:

Thanks, Joe. Thank you very much to all the Council Members who are co-sponsoring this as a joint effort. Mr. Rideout's retirement party is June 21st. Stan.

The Chair:

At the Convention Center.

Ms. McDonald:

At the Convention Center. Go ahead, Stan. Who coordinated the --

Mr. Rideout:

Darlene.

Ms. McDonald:

It will be a nice -- I know it will be a nice event. It's going to be a big event. But -- now you know I would be there if I could, and when I heard that it was June 21st, I felt a little bad. I will be out of town that day, I don't really have a choice. But, you know I'm present there with you, Stan, you know we had to work together at them public hearings. Oh, yes. So, I want to congratulate him, and I would encourage him the listening audience, that if you're interested, who exactly to call to celebrate with him, do I have a name and a phone number that I can say on the air here. Call 622-3520, if you're interested in attending. Thank you very much. Now it's photo time.

Mr. Rideout:

Thank you very much.

The Chair:

Thank you, congratulations. Thank you. We appreciate all of you being here for Mr. Rideout.

I believe Councilwoman McDonald and Councilman Udin have a second resolution.

Ms. McDonald:

One for the record, Mr. President.

The Chair:

Thank very much. Thank you.

MS. McDONALD AND MR. UDIN PRESENT

No. 721 WHEREAS, On Thursday, June 13, 1996, Pittsburgh native George Benson will perform as the honoree of the 10th Anniversary of the 1996 Mellon Jazz Festival at Point State Park; and,

WHEREAS, George Benson was born March 22, 1943 in Pittsburgh, Pennsylvania. He won his first amateur contest when he was just four years old. At the age of eight, he was playing for quarters on the corner of Wylie Avenue and Fulton Street in the Hill District. George's mother and step father, Erma and Thomas Collier, current residents of Penn Hills, allowed him to play at the Little Paris Night Club. By age 10, George had recorded a number of singles for RCA; and,

WHEREAS, with no formal training, the national career of George Benson began in 1963 when Jack McDuff invited him to begin a national club circuit. Since then, he has achieved unprecedented crossover success in topping the charts in jazz, pop, and urban contemporary categories; and,

WHEREAS, since the 1960's, George has recorded a record each year. His 1976 album **Breezin'** was the first in history to simultaneously hold the No. 1 spot on the jazz, pop and R&B charts. This best-selling jazz album of all time won four Grammys. Other hits include **Weekend in L.A.**, **Give Me the Night**, **Collaboration** with guitarist Earl Klugh, and the recent collaboration with the Count Bassie Orchestra, **Big Boss Band**; and.

WHEREAS, having recently signed to GRP Records, George maintains

an active touring schedule and continues to perform for audiences around the world.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates George Benson, honoree of the 10th Anniversary 1996 Mellon Jazz Festival, on his excellent and exuberant musical career, and thanks him for returning home to Pittsburgh, where it all began, for this performance.

SPONSORED BY COUNCILWOMAN VALERIE A. McDONALD AND COUNCILMAN SALA UDIN

MS. McDONALD moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion are prevailed.

The Chair:

Thank you very much. Councilman Ricciardi.

I want to remind our colleagues, we have a televised post agenda meeting immediately following this session regarding the City's recycling situation.

Mr. Ricciardi:

To be read into record, Mr. President.

MR. RICCIARDI PRESENTS

No. 722 WHEREAS, the Passionist Community began building their Monastery in the

South Side of Pittsburgh in 1853; and,

WHEREAS, laymen occasionally made private retreats to the Monastery until the St. Paul of the Cross Retreat Center was dedicated on November 21, 1920 by Bishop Regis Canevin. The first retreat for men occurred on January 7 through 10, 1921 with 17 men in attendance; and,

WHEREAS, in 1961 a new wing was dedicated and capacity has grown steadily to the present 138 beds; and,

WHEREAS, in 1968 St. Paul of the Cross Retreat Center offered its first married couples retreat and in 1971 offered its first women's weekend retreat; and,

WHEREAS, St. Paul of the Cross Retreat Center currently offers 44 weekend retreats a year serving 3500 participants. Five weekends are reserved for men and women recovering from alcohol addiction; and,

WHEREAS, on June 22, 1996 St. Paul of the Cross Retreat Center will celebrate 75 years of service with a Jubilee Celebration with a Mass at St. Paul Cathedral and a reception at St. Nicholas Community Center.

THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates St. Paul of the Cross Retreat Center

on 75 years of service to the South Side and the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that Saturday, June 22, 1996 is declared St. Paul of the Cross Retreat Center Day in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Thank you.

Councilman Udin, I believe you may have two to be read into the record.

Mr. Udin:

Two just read into the record, Mr. President.

The Chair:

Thank you, Councilman.

We're moving right along. We had time to sing Valerie "Happy Birthday", we should have done that.

Ms. McDonald:

Yes, you did.

MR. UDIN PRESENTS

No. 723 WHEREAS, On this day, June 12, 1996, Madison Elementary School will commemorate another fifth grade class; and,

WHEREAS, The class of 1996 will send fifty students on to middle school; and,

WHEREAS, Madison Elementary is one of the top five elementary schools in the Pittsburgh Public School District; and,

WHEREAS, Dr. Vivian Williams, the Principal of Madison Elementary, has contributed to much of the school's success along with an excellent teaching and support staff; and,

WHEREAS, Madison Elementary has enjoyed a long history of community support, and many of the student's parents, grandparents, and even great grandparents are graduates of Madison Elementary; and,

WHEREAS, Madison's Class of 1996 has members of the Alex Matthews Junior School Board. They have participated in the Integra African-American History Award, the Growing with Trust Program, Carnegie Mellon University's Role Models Program and the Martin Luther King Day Program; and,

WHEREAS, The Madison Class of 1996 has also participated in many sports leagues, including track and field, basketball, soccer, cheerleading, and chorus; and,

WHEREAS, Madison
Elementary's P.T.A. has sponsored many
events such as Student of the Month,
Camp Fire Girls, Safety and Me Project,
Meet The Candidate Forum, Spring
Fashion Show, Big Friends Little Friends

Club, and the Giant Eagle Apple's for students program; and,

WHEREAS, Madison Elementary has had a host of guest speakers, including Thelma Lovette Morris, Director of Professional Personnel for the Board of Education; Louis Harrel, Drug/Alcohol Outreach Worker for St. Francis Medical Center; Thelma Lovette, 5th Ward Committeewoman and community activist.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and recognizes the Madison Elementary School graduates and the P.T.A. for a productive and successful school year.

MR. UDIN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTS

No. 724 WHEREAS, On this day, June 7, 1996 The Calvary Baptist Church (CBC) Youth Club is honoring the diligent volunteers who work with the Youth Club; and,

WHEREAS, the volunteers of the Youth Club include Mrs. Thelma Pugh, Mrs. Hedy Bassord, Mrs. Christine Gurley, Mrs. Clementine Reynolds, Mrs. Michelle Wynn, Mrs. Mary Ann McKinsey, Mrs. Janie Herring and Mrs. Carol McGuire; and,

WHEREAS, two CBC volunteers will receive special honor this year for outstanding community service; and,

WHEREAS, Clementine Williams has been a dedicated and hard worker in the community. She is currently President of Glen Hazel's Tenant Council and she serves on Glen Hazel's R.M.C. Board. Ms. Williams is Youth Club Coordinator for Calvary Baptist Church's Outreach Program and has extensive service to various youth organizations throughout the community; and,

WHEREAS, Catherine Davis has also been a dedicated and hard worker in the community. Her volunteer work includes Special Programs Coordinator for Senior Citizens/C.B.C. Outreach, Liaison for Safety for Senior Citizens through Safety Programs of Allegheny County, and Outreach Senior Citizen Volunteer for the Hill House Association. Ms. Davis also has extensive service to various senior citizen programs throughout the community.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and salutes all the volunteers of the Calvary Baptist Church Youth Club for their outstanding work with the youth and senior citizens in our community and extends congratulations to this year's awardees, Clementine Williams and Catherine Davis.

MR. UDIN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much.

We have a number of guests from the Gay Pride Celebration event. And, at this time I would like to also ask Councilman Cohen and Mr. Udin, who are co-sponsors of this resolution with me, to please come forward, and our guests.

Good morning, ladies and gentlemen. I would like to read the following resolution, which is being co-authored by Councilman Dan Cohen and Councilman Udin.

THE CHAIR PRESENTS

No. 725 WHEREAS, all forms of discrimination undermine the fundamental principle of civil rights on which this nation was founded: that all men and women are equal under the law; and,

WHEREAS, the U.S. Supreme Court, by a 6-3 majority, issued a landmark decision striking down Colorado's Amendment 2; thereby offering from protection state governments' attempts to prevent enactment of any new civil rights laws; and,

WHEREAS, during the month of June, "Pride" celebrations are held all across this country in recognition of the "Stonewall Riots", the birth of the modern gay liberation movement, which took place in June of 1969 in New York City 27 years ago; and,

WHEREAS, over the past two decades the rich ethnic, social and cultural heritage of our city has been further enriched by the emergence of the lesbian, gay, bisexual and transgendered communities which have become more

visible and active in promoting the rights of sexual minorities; and,

WHEREAS, "Pride Without Borders" is the theme for "Pittsburgh Pride-Fest '96" for the lesbian, gay, bisexual and transgendered communities, a community festival which will take place on June 22, 1996 at Mellon Park in Point Breeze, following a parade through Shadyside; and,

WHEREAS, the Three Rivers Pride Committee is joined by several related cultural events during this week including a "Celebration of Pride" concert by the Renaissance City Choirs and a celebration of the new Gay and Lesbian Community Center in Squirrel Hill.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and congratulates the Three Rivers Pride Committee for organizing this important celebration; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Saturday, June 22, 1996 as Lesbian, Gay, Bisexual and Transgender Pride Day in the City of Pittsburgh.

SPONSORED BY COUNCIL MEMBERS JIM FERLO, DAN COHEN AND SALA UDIN

MR. COHEN moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much.

I think the resolution is selfexplanatory. We have a number of guests here, many of you recognize some of these faces, because oftentimes when we have whether public hearings. it neighborhood zoning and issues that come before this body involving the livability of our City, or issues such as the issue of a Police Civilian Review Board, you name it, the folks here to my left and many of the folks that they represent, are part of the vibrancy of this City that come forward consistently and work diligently to improve the quality of life in our community, but that's got to start at home within their own community.

When I was growing up, probably like you, when you read the history books and you go to your first class involving history and sociology, you hear the information about United States being a melting pot, and that's probably a familiar refrain for many of us as we're growing up. I guess, as I grew up, later on in my life, you really have to rethink the notion of a melting pot. Melting pot kind of implies that somehow all of the religious and ethnic groups somehow give up their sense of being and the particular character that they hold, be it language or custom, and really it's not so much a melting pot in the United States or even in our great City, it is more a mosaic, whereas individuals with diversity, whether it be based on religion, whatever the issue is, ethnic, religion, as well as the sexual orientation or preference, the fact of the matter is, what is really in place more in our great City is a mosaic, whereas individuals can maintain their own sense of identity and their own sense of pride and custom and preferences, but it really demands respect and appreciation.

Driving in this morning for this Council meeting, I was driving behind a car and it had a bumper sticker on it that said "Celebrate Diversity". I don't know that everybody in this City is ready to celebrate diversity, probably may be all of us are here, who are sponsoring this resolution and certainly from community, but I think the fact of the matter is, if we can't celebrate diversity, let's at least respect diversity, and that is certainly what Council did several years ago in passing an amendment, based in our own City Code of Ordinances, involving discrimination in public commendation, housing and employment, and I think that's part of what the theme is all about as the weekend approaches. And, I applaud the leadership that's here this morning, it's not always easy to take controversial stands and to fight for your rights because somebody is always there to put you down or attempt to embarrass you or diminish your sense of worth in the community, and I don't think that's what this City is about. And, I very much believe that part of growing this City is not only celebrating diversity but respecting diversity and understanding the significant contribution that these will folks to my left and the many of the people that they represent, what they do for our City, and that's part of what makes Pittsburgh a truly livable place in my opinion.

I would like to call on Councilman Udin and Councilman Cohen to say a few words, then I'll call on Mr. Hileman, Bill Hileman here, on behalf of the Celebration Committee to accept the proclamation. Councilman Udin.

Mr. Udin:

Thank you.

I would like to thank Councilman Ferlo for initiating the legislation and inviting my participation in it.

I'm a long-time veteran of Civil Rights, and Civil Rights pertains to all people. If they come for me tonight, they'll come for you in the morning, and none of us can afford to be exclusionary in fighting for the Civil Rights of all people, they belong to all people. But, particularly there's a problem among African-Americans relative to the denial of the existence of gay and bisexual and transgender individuals within that community and part of the very unfortunate results of it is the continued explosion of HIV and AIDS epidemics within the African-American community that is growing faster than any other community in the United States. Part of the reason for it is our inability to confront the controversy of gay and bisexual individuals within our culture, within the human species and therefore our inability to reach out to them to educate them to prevent illnesses like this and diseases like this because we'd rather avoid the embarrassment or to avoid the controversy altogether and the result is that many, many people are dying alone and unloved. So, I'm proud to stand here as a celebration of the Civil Rights of one sector of the human family and I will always be there to stand up for the Civil Rights and human rights of all people. Thank you.

The Chair:

Thank you. Councilman Cohen.

Mr. Cohen:

Thank you very much.

It is also my honor to co-sponsor this proclamation. And, I want to congratulate all of the organizers of the series of events that lead up to the parade and community event in Shadyside and in Mellon Park, and there are a series of events, and I hope that whoever speaks will talk about those events. attended those events for as long as I can remember, even back when they were Downtown and in Point State Park, and the reason I have is because I believe in human rights and in equal rights, and everybody, everybody deserves to have There is discrimination equal rights. against gays, lesbians, bisexuals and transgender individuals in housing, in employment and in other areas, what Councilman Udin just spoke about. The way that manifest itself, of course, is, in government at least, that we don't have proper funding to find a cure for AIDS, that we don't have proper funding for all of those other activities which are necessary to be able to promote equality. And, I am happy that this event is going through Shadyside, which happens to be in my Council District, and proud of that, and I'll certainly be there on Saturday to be able to read this proclamation to the group assembled.

So, I want to thank everybody who worked so hard to make this happy, and I'd like to call on Mr. Bill Hileman. Before you get up here, I do want to say, Billy, that your testimony last night at the Civilian Review Board hearing, I think was one of the most moving testimonies

that I have ever heard, and keep fighting the good fight. Billy.

Mr. Hileman:

Thank you, Mr. Udin, Ferlo and Mr. Cohen. We certainly appreciate this I think these types of very much. resolutions for any community or person who receives them are very important for their recognition. Our community has a very special relationship with this body, we've been in this room protesting. One day Mr. Woods shut down City Council when we were a little too noisy and you convened a couple days later. But, we also had a very significant victory here in 1990, and also joined in that was Michael Coyne and Michelle Madoff and the other Council Members that voted in favor of the Civil Rights Bill, it was very important to us.

But, nevertheless, the things that confront the gay and lesbian community discrimination continued. the continue, the reports of more than a third of the teenage suicides in this nation are by gay and lesbian youth, that people are so intimidated in their adolescent years that sometimes they take their life rather than face what they seem to believe they would have to face, and there are literally thousands of murders of gay and lesbian people since the Stonewall Riots in our country. Thousands of people aren't here just because they were murdered by other people. On the day that the Senate killed the Hate Crimes Bill in the State of Pennsylvania two lesbians were murdered on the Appalachian Trail. And, these types of things continue. And, I think that this type of public statement, the fact that people are willing to just say, yes, we will celebrate this on this day, gives some hope to some people who might think that everybody is against them. And, so since 1990 this body has been a friend of our community and we're grateful for this. This is significant in that it has got three names on it this year. We will do our hard work to ask all of you to join this resolution next year. I know that's our job to do also and sometimes we're too busy to do all the things we need to do. So, we will work hard to be good at that.

I want to let you know that there are some very important people here, at least to our community. Barry Atkins, who is part of the Pride Committee and he works hard on a local gay paper also, Carol Kirkpatrick and her husband Dale. Carol is the President of P Flag. Our community is more than just gays, lesbians and bisexuals, it includes heterosexuals, too. We are everybody. Our community includes the parents and friends who share in our joys and also suffer when things harm us. Chris Young, I'm sure you know, he's the Chair, State Chair of the League of Gay and Lesbian Voters.

And, that's enough for me. Thank you very much.

Ms. Kirkpatrick:

I didn't mean to end Billy's speech. I didn't come prepared to speak but I felt I needed to.

In 1991, when our son came out, I never expected to be standing before the Pittsburgh City Council this morning and speaking to you. I want to thank you all, I want to thank the three co-sponsors of this resolution. I hope that it's only a matter of years, not decades before all of the communities surrounding the Pittsburgh

area will take the brave move that the City of Pittsburgh has taken, both with this kind of a resolution and with the protection laws that you have in place for our families, our friends, our loved ones. It's very important as parents that we see publicly proclaimed the importance of our children, all of our children are special but somehow some of us as parents don't always feel that's true about our children who may be gay, lesbian, bisexual or somehow transgender. it's not appropriate or as okay to talk about those children, and I think by being here today, we're saying all of our children are important, and thank you for recognizing all of them. Thank you.

The Chair:

Thank you. Thank you, colleagues.

I believe that concludes our Read and Adopted resolutions. If there are no other proclamations, moving to Presentation of Papers.

MR. COHEN PRESENTED

No. 726 Resolution providing for the issuance of a warrant in favor of Premier Safety and Service, Inc., in the amount of \$6.956.00 for the purchase of two David Clark Apparatus Intercom Systems for the Bureau of Fire, Department of Public Safety, chargeable to Code Account 1464, Equipment.

Which was read and referred to the Committee on Finance and Budget.

Also.

No. 727 Resolution providing for an agreement with a consultant for professional training services to police officers, not to exceed \$20,000.00, chargeable to Code Account 1448-1, Education and Training, Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on Public Safety Services.

MR. O'CONNOR PRESENTED

No. 728 Resolution providing for the issuance of a warrant in favor of Maguire Group, Inc., in the amount of \$1,470.00 as final payment for the preparation of the City of Pittsburgh's Construction Standards and Specifications, and charging the same to Code Account 3-13-35-0003-92.

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 729 Resolution amending Resolution #86, effective March 13, "Providing 1996, entitled, agreement or agreements, or use of existing agreements and/or a contract or contracts, or use of existing contracts for the design and construction of the relocation of Zone 1 Police Station and for the purchase of materials equipment for said project," increasing the total project allocation by \$300,000.00, from \$800.000.00 \$1,100,000.00, chargeable to and payable from 3-13-80-4072-96.

Also.

No. 730 Resolution amending Resolution #86. effective March 13. "Providing for 1996, entitled, agreement or agreements, or use of existing agreements and/or a contract or contracts, or use of existing contracts for the design and construction of the relocation of Zone 1 Police Station and for the purchase of materials and equipment for said project," increasing the total project allocation to by \$300,000.00, from \$800.000.00 to \$1,100,000.00, chargeable to Account 3-13-80-4073-96.

Which were read and referred to the Committee on Engineering and Construction.

MR. RICCIARDI PRESENTED

No. 731 Resolution granting unto Robert J. Lewis, 1344 Fifth Avenue, Pittsburgh, Pennsylvania, 15219, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, a canopy over a portion of the right-of-way at 1318 Fifth Avenue in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

MR. UDIN PRESENTED

No. 732 Resolution providing for the issuance of a \$2,970.00 warrant in favor of Ronald Iacovetti in settlement of a claim for sidewalk damage due to City tree roots.

Also,

No. 733 Resolution authorizing the Allegheny County Residential Finance Authority to operate within the City, thereby giving the Finance Authority permission to enter into agreements to refinance certain residential properties within the City.

Also,

No. 734 Resolution providing for conveyance of certain property in the First Ward of the City of Pittsburgh to the Public Parking Authority of Pittsburgh for the sum of \$1.00.---(PRESENTED BY MR. UDIN AND MS. McDONALD)

Which were severally read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED

No. 735 Communication from Paul Hennigan, Director of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of February 29, 1996.

Also,

No. 736 Resolution approving the appointment of Anthony Stagno, 233 Auburn Street, Pittsburgh, PA 15206, as a Member of the Stadium Authority of the City of Pittsburgh. Term to expire December 31, 2000.

Which were read.

The Chair:

Thank you. If there's no objection, I would like for a motion to approve both resolutions.

Mr. Cusick:

So moved.

The Chair:

I think many of year show Mr. Stagno, he served provincing on the Stadium Authority Board and he's a great individual, a business person and somebody who has shown a lot of leadership in our community and I think he would be a great asset back on the Stadium Authority Board, and if there's no objection, I'd ask for a motion to approve and —

MR. O'CONNOR seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Thank you very much. And, I would like to thank the Mayor for his appointment.

UNFINISHED BUSINESS

The Chair:

Under Unfinished Business, I would ask the Clerk to please read the appointment.

THE CHAIR PRESENTS

No. 696 Resolution appointing Michael Khoury, 622 S. Land Avenue, Pittsburgh, PA 15209, as a Member of the Ethics Hearing Board. Term to expire April 30, 2000.

Which was read.

The Chair:

You have heard the appointment. We've conducted an interview. This gentleman has excellent qualifications, and I think all of us applaud his willingness to serve in a volunteer capacity on Ethics Commission. What is the pleasure of the body on the appointment?

Mr. Udin:

So moved.

Mr. Onorato:

Is this the gentleman that was in?

The Chair:

Yes, Mr. Khoury. He was in this past week.

MR. ONORATO seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Motion carries. Thank you very much.

Other matters to be brought before the body under Unfinished Business or Reports of Special Committees? Hearing none, moving to Reports of Committees.

REPORTS OF COMMITTEES

The Chair:

Beginning with the Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman Udin.

MR. UDIN PRESENTED

Bill No. 737

Report of the Committee on Finance and Budget for June 12, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 588

A Resolution entitled, "Resolution transferring the amount of \$40,200.00 from Oliver Bath House Trust Fund, to the Swimming Pool Maintenance Trust Fund, in the Department of Parks and Recreation."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Aves:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo

Mr. O'Connor (Pres't)

AYES 9 NOES none

The bill having received the legally required number of votes passed finally.

Also.

Bill No. 713

A Resolution entitled, "Resolution providing for the issuance of a \$8,486.15 warrant in favor of CASBAH RESTAURANT, c/o Richard T. Baron in settlement of a claim for losses sustained as a result of water main break caused by sewer repair."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Aves:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you, Councilwoman.

MS. McDONALD PRESENTED

Bill No. 738

Report of the Committee on Housing, Economic Development and Promotion for June 12, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 625

Resolution entitled. "Resolution authorizing a Cooperation Agreement or Agreements with the Redevelopment Authority of Pittsburgh for administration of the Section 108 Development and Economic Programs.---Initiative Grant (PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

Also,

Bill No. 626

A Resolution entitled, "Resolution authorizing the submission of applications to the U.S. Department of Housing and Urban Development for a Section 108 Loan in the amount of \$13,450,000 and an Economic Development Initiative Grant in the amount of \$1,000,000.---(PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills? Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President and colleagues.

I'm in full support of the legislation authorizing application for Section 108 funds. First of all, as Director Birru stated, it's a formality. It looks as though we're definitely going to receive the 13 million plus dollars here in the City of Pittsburgh for economic development. I think Director Birru, Board Member Alan Hertzberg and others really need to be commended and congratulated for being able to go out and bring this type of funds into the City.

Where I'm particularly impressed, if anyone has had an opportunity to review the information furnished by the Director of the URA to us, you would see a few things. In 1995, I believe there were no defaults, but even more importantly, if you really look at the businesses that have been funded, I was very impressed that they were scattered throughout the City of Pittsburgh and they were not concentrated either in one region or one neighborhood, but instead either it was planned or maybe

it just happened, but I was very pleased to see that these dollars are really benefiting all neighborhoods that qualify for CD dollars. Thank you.

The Chair:

Thank you, Councilman.

Mr. Onorato:

I just want my comments brought forward on all the bills relating to the Section 108. I think it's Bill 625 and 626. I'm not sure if there are any other companion bills. But, on those two bills, I want my comments brought forward.

(REMARKS--SEE ADDENDUM)

The Chair:

Thank you, Councilman.

On these two bills, however, I don't know what the will of the body is, and I'll respect it, but I would really ask that we consider recommitting these two bills. I do appreciate and applaud Director Birru for communicating so quickly to this body with the additional information that we requested, but I do note that these particular funds under the HUD Section 108 Program, Neighborhood Business Revitalization Program, demonstration business loan program with the goal of creating jobs for low and moderate income people in urban areas. He reports that the URA made 16 Section 108 loans totaling 3.5 million between the years '82 and 1985. We have the resolution before us today for upwards of 12 or 13 million. Apparently there's not been any activity in this last period of time

since the '82 to 1985 period. I applaud the fact that we were able to secure these loans and I do applaud the fact that there's been a successful track record with the previously loans. Based on Director Birru's information, eight of the loans were already paid off, seven loans are outstanding and being paid with the current balance of 1.2 million, and there was only one loan that was written off or basically defaulted.

My questions -- and again, if we move on this today, I'd have to abstain -my question is, based on the 16 companies that received the loan resources and revenues listed in your memo, the question I have is, what was done to verify or to quantify what actual employment opportunities were created. I don't want to pick on Astorino Associates, they're a great firm locally, architectural firm, there are a number of companies here, Castriota Chevrolet, Biodecision Associates, our own Public Parking Authority, Lehman Leisure, D & L Real Estate. What I would really like to know is what actually was clearly determined by the URA as a product or a byproduct of the actual loan. In other words, this loan is separate and distinct from other loans that are available through the URA bond funds. I am very curious to know, as a result of us partnering with these companies locally, and I'm all for helping these companies, but there was to be a quid pro quo, there was to be some bona fide employment for low and moderate income individuals, this was not just a traditional loan program, some of which is experienced in other loan programs that are available to the URA.

I don't know what the will of the body is, but if we move on it today, I'm going to abstain respectfully. I think a lot of times we kind of pass off on stuff in good faith, and I have a lot of confidence in Director Birru and I certainly have a lot of confidence in our own colleague, who sits on the Board of the URA, but I would like to see more information quantified before we enter into another indebtedness for up to 13 million dollars, specifically on some of the issues I'm talking about. And secondly, as part of that, and I don't know what the pleasure is of the body, we have given this Administration 60 million dollars. We made a decision to take 7 million dollars in Regional Asset District funds and not pay debts or do all the other things that we were hard pressed to do, and I concurred with that, and I applaud the Mayor for his leadership on that, however, except for one of our colleagues sitting on the URA Board, and now two colleagues I believe have been appointed to sub-boards of the URA, one on Industrial Development, I think one on Housing and Development, I think we need greater representation from this Council body on a lot of funds that we have already allocated to the URA. Again, I don't know what the pleasure of the body is on this issue, but if we move ahead on it, I would have to respectfully abstain.

Councilman Udin.

Mr. Udin:

Yes. I would speak in support of your request for a reconsideration because I think it's necessary that Council stop its habit of rubber stamping certain projects without a thorough examination of the impact that they are having on employment and on affirmative action issues, et cetera. We don't collect data in the kind of detail that we need, and I think that it's a prudent request on your part. I

would like to see the employment data. There's a commitment that we have, both to funding source and to the people, that if we use funds that are designated to impact unemployment among low and moderate income people, we should be able to say exactly what that employment impact has been and our reconsideration in asking for this information will cause the URA and other departments to go back, dig out the detail and pull up the data so that we can see it, but it sets an important precedent for other reports so that they are not just global reports, surface reports, but that they report the detail of the impact on jobs and on the economy.

So, for those reasons I would support the reconsideration.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President.

I don't support reconsideration. I don't know what relevance loans made in how 1982 through 1985. many Administrations ago, who was even the Executive Director at the URA at that time, where we're at today on that, I don't see any relevance between that and where we are today with this program. If you want to propose anything at all relative to the operation of the URA today, if you there's sufficient believe accountability in any manner whatsoever, I'm entirely open to all comments, Director Birru is completely open, all the Members of the Board of Directors of the URA are completely open. A few month ago there were requests regarding the Pittsburgh Development Fund, regarding everything the URA was doing, I was more than happy to convene a post agenda meeting here, that was led off by Mayor Murphy, Mayor Murphy stood here and answered questions from every Member of Council on everything we were doing, Director Birru was here, went through every single project out there, as well as a number of other members of the development team. I don't know where these complaints are soming from, and I don't support recommittal.

The Chair:

Thank you.

Just in response. I think my colleague, in all due respect, is being needlessly defensive on my request. The fact of the matter is the previous 16 loans, have already taken place. It is particularly relevant I think to understand what would the impact of those loan provisions were and whether or not we met the requirements of the particular 108 Loan Program as it relates to meaningful employment opportunities for low and moderate individuals. ĭ think understanding an assessment of what took place previously provides a framework for us, better understanding of the 13 million we were about to entertain. It's a question of knowing what is in place, what is the criteria that the URA will utilize when they approve in the future the new funds that we are about to embark on. It's not meant to be defensive, I am in no way being critical of the URA or this program. it's a question of better understanding what we realize by way of these particular dollars, which they are very specifically geared towards quantifying employment opportunities for low and moderate City

individuals. I think it's perfectly appropriate, in addition to the information that the Director provided, to understand of the 16 companies back to '82 and '85. what thev generated by wav employment. I think it's a very reasonable request for some additional information. If we don't want to recommit it I would still like to ask for the information, but the fact of the matter is, other than my colleague, who does sit on the board, once we vote on this, as we all know, we don't have an opportunity to engage with the Administration URA regarding operation and activities of this loss fund. we don't have any direct input in the future.

Other discussion?

Just as a point of order. There is no motion on the floor at this point. I was making a friendly suggestion regarding additional information.

Mr. Hertzberg:

Briefly. I understand your concern and welcome it. I think recommittal is the wrong way to go on this, is all I'm saying. We had Director Birru here, you asked for specific information, he provided it, now that he provided it, you're asking for more information, recommit it again.

The Chair:

Councilman Udin.

Mr. Udin:

Unless I'm mistaken, and I would accept your correction, Councilman Hertzberg, if I'm mistaken, but as I recall the discussion last week we asked not only for information relative to the outstanding -- not the outstanding, but the previous loans that were made by this project, but we did ask for economic impact statistics, and we received part of the information but not the other part of the information.

Secondly, if the Councilman is aware of some time constraint that would indicate that we should not delay this but should hurry it through, I wish he would share that information with us, otherwise it's not a criticism or an attack on the URA or this program, it's simply an effort to get more information.

Mr. Onorato:

Mr. President.

The Chair:

Councilman Onorato.

Again, if there's not going to be a motion on the floor, then I'm just going to move the agenda along.

Mr. Udin:

Motion to recommit.

The Chair:

There is a motion on the floor to recommit, is there a second?

MR. O'CONNOR seconded the motion.

The Chair:

Second. For discussion. Councilman Onorato.

Mr. Onorato:

Discussion.

I have to agree with parts of your comments and parts of Councilman Hertzberg. I'm not going to vote for recommittal. However, I think the information you're requesting can be easily obtained just by requesting it. And as you know, there will be plenty of other URA bills that come in front of us, if the Director refuses to answer, which he has never, as far as I -- he's been receptive, if not, the best for responding. I think we can achieve both goals. I don't see the advantage to recommitting. I believe everything you want we can obtain and recommittal is just a procedural move at this point that I don't think we have to utilize. Because the Director has shown in good faith that he does respond when we ask for it. And, I would say we approve it and let's move forward with the request. If he doesn't, the next bills that come up, then we get a second bite at the apple.

The Chair:

Thank you.

Again, nothing in my suggestion to recommit in any way suggests that Director Birru has not complied or is fully cooperative with this body, quite the contrary, he always does. It's not the intent in wanting to have additional discussion on this.

Other discussion? Councilman Cusick.

Mr. Cusick:

I would just like my comments to be brought forward on Bills 625 and 626.

(REMARKS--SEE ADDENDUM)

The Chair:

Thank you. Councilman O'Connor.

Mr. O'Connor:

I would like my comments brought forward.

(REMARKS--SEE ADDENDUM)

Mr. O'Connor:

I wouldn't object to a hold a simple reason, possibly, and I'm looking at things like Crawford-Roberts, the fiasco we went through there to see if local people are getting the jobs, and that's heart of the urban area. I think this bill -- and it is nothing against Mr. Birru or the URA, but we may want to put something -- amendments in to make sure there's better tracking and results on our part to see that jobs are going into the City and also developers from at least the region of our City can do it. If that's part of the questions your looking for.

The Chair:

Yes. I mean we asked for it a little bit and I appreciate the response that we did get but it was incomplete as far as somebody --

Mr. O'Connor:

These loans are back to the early '80s.

The Chair:

Yes.

Other discussion?

Roll call vote on the issue of recommitting the two bills, 625, 626.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Ms. McDonald

Mr. Udin

Mr. O'Connor

Mr. Ferlo

(Pres't)

AYES 4

NOES 5

VOTING NO:

Mr. Cohen Mr. Cusick Mr. Onorato

.

Mr. Ricciardi

Mr. Hertzberg.

And a majority of the some of Council not being in the affirm the affirm the the motion was defeated.

The Chair:

The motion fails.

Other discussion on the bills? Hearing none, roll call vote.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Ms. McDonald Mr. Cusick Mr. Onorato Mr. Hertzberg Mr. Ricciardi

AYES 6

NOES none

(MR. O'CONNOR, MR. UDIN AND MR. FERLO, PRES'T, ABSTAINING)

The bills having received the legally required number of votes are passed finally.

The Chair:

And, also would ask that the Director would communicate back to this Council regarding some of the employment information.

Also,

Bill No. 627

"Resolution Resolution entitled, authorizing a 1996-1997 Cooperation Urban Agreement with the Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in an application for financial assistance filed with the Pennsylvania Department of Community Affairs.---(PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

Also.

Bill No. 628

A Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the

\$3,560,000 of the amount to Pennsylvania. Commonwealth of Department of Community Affairs for Recovery Program, Housing Neighborhood Housing Program. Community Development Investment Fund, Pittsburgh Housing Construction Development Urban Streetface, and Industrial Site Acquisition Improvements Project.--and (PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

Also,

Bill No. 687

A Resolution entitled, "Resolution authorizing the URA to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 21st Ward of the City of Pittsburgh being designated as Block 7-F, Part of Lot 107—Industrial Land Reserve Fund.—(PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

Also,

Bill No. 688

A Resolution entitled, "Resolution authorizing the URA to acquire that property in the 21st Ward of the City of Pittsburgh owned by the Commonwealth of Pennsylvania, Department of Transportation, and designated as Block 7-F, Part of Lots 114, 133, 135 and 140, under the Industrial Land Reserve Fund.—(PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

Also,

Bill No. 689

A Resolution entitled, "Resolution approving execution of a Disposition

Contract by and between URA and Cardello Associates for the saie of Block 7.1. Part of Lots 107, 114, 133, 135 and 440 in the 21st Ward of the City of Pittsburgh for \$87,900.00 -- Industrial Land Reserve Fund.--(PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

Also,

Bill No. 690

A Resolution entitled, "Resolution authorizing the URA to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh being designated as Block and Lot 11-A-154, under the Residential Land Reserve Fund.—(PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

Also,

Bill No. 691

A Resolution entitled, "Resolution approving execution of a Disposition Contract by and between URA and New Zion Baptist Church for the sale of Parcel 44 in the 21st Ward of the City of Pittsburgh for \$3,000.00 -- Redevelopment Area No. 27 (Parking).—(PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

Also.

Bill No. 692

A Resolution entitled, "Resolution authorizing the URA to acquire property designated as Block 11-A, Lot 148, in the 3rd Ward of the City of Pittsburgh (Residential Land Reserve Fund).---

(PRESENTED BY MS. McDONALD AND MR. HERTZBERG)"

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Councilman O'Connor.

Mr. O'Connor:

I would like to change my vote on those 625 and 626 to an abstention. Just on those two. Ave on the other ones.

The Chair:

Thank you. The bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 9

NOES none

The bills having received the legally required number of votes are passed finally.

The Chair:

Thank you. Committee on Public Safety Services, Councilman Cohen.

MR. COHEN PRESENTED

Bill No. 739

Report of the Committee on Public Safety Services for June 12, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 566

A Resolution entitled, "Resolution providing for an agreement with a psychologist for professional services for 1996, at a cost not to exceed \$65,000.00, chargeable to Code Account 1401."

Which was read.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
	(Pres't)

AYES 8

NOES 1

(MR. ONORATO VOTING NO)

The bill having received the legally required number of votes passed finally.

Also,

Bill No. 622

An Ordinance, "Ordinance promulgating guidelines pursuant to Act 25 of Special Session #1 of 1995 at 42 P.S.C.A., Section 8902(b) to be incorporated into the City of Pittsburgh, Department of Public Safety, Bureau of Police, Standard Operating Procedures and followed by City of Pittsburgh Police Officers when making a warrantless arrest for violation of the Pittsburgh Code, title Six, Conduct, Article I, Regulated Rights and Actions, 604 Chapter Responsibility - Curfew for persons under seventeen years of age."

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion? Councilman Cusick.

Mr. Cusick:

I just want to make a brief comment on Bill 622.

I'm glad this will be the final hurdle and curfew will be -- we'll able to move along on curfew. It has been a long -- over a year since this bill originally came to this table. I would like to thank all of Council, whether you're for or against curfew. I think that the work that went into this from the proponents or the other side of the aisle on this issue, I think was all good dialogue and helped to write an even more or better piece of legislation.

I would like to thank all of Council and to Council Members' staffs for being involved. I would like to thank the Mayor and his staff for being involved in this

legislation. Particularly I would like to thank Bill Urbanic from my staff for his outstanding work and research he's done in regards to curfew. And, I would like to thank the residents of the City for coming out to the six public hearings that we held out in the communities. And, I would like to thank Ms. Linda Johnson-Wasler and her staff for helping us get through this. Thank you, Mr. President.

The Chair:

Thank you, Councilman. Other discussion? Councilwoman McDonald, then Mr. Udin.

Ms. McDonald:

First, pertaining to Bill 622, I wasn't here last week for Wednesday's Standing Committee, but I would like to have my comments brought forward from the previous week in which it was discussed.

(REMARKS--SEE ADDENDUM)

Ms. McDonald:

There is no sense in keep beating a dead horse.

But, I will be voting no because of just a general philosophy, I don't agree with the implementation, not necessarily the philosophical aspect of a curfew but how it's being implemented. I don't agree with the pat down and the handcuffs, if indeed a child is really being picked up simply for violating a curfew, if they're committing a more serious crime, fine, if they're not, no, no pat down and no handcuffs, it's not necessary.

Also, I take issue with the lack of community-based social service agencies that would open and available to those kids and for the police officers to be able to take them there, that doesn't exist now.

So, that's why I'm voting no on Bill 622.

On item 566, which was discussed last week, it was held for weeks and weeks, then finally it was discussed last week and I wasn't there, I will be voting in the affirmative on that just to move the process forward. I have been told that many of the police officers are quite confident and the existing psychologist that is contracted by the City. So, I will voting in the affirmative but I would look like to be able to engage in more discussion, maybe through committees or whatever with the Administration and how we can make more effective the services that are made available to a lot of officers to try to alleviate some of the stress, some of the burnout and definitely in terms of anger management. It's a big issue and causes a lot of problems out there, and that's why we're even talking about a Civilian Review Board, a lot of mismanagement.

So, I will be in discussion with the Administration to make more effective, not only the police psychologist but other interventions and how we can better manage the psychological and mental health components of a police officer. Thank you.

The Chair:

Thank you, Councilwoman. Other discussion?

I'm going to vote in favor of Bill 566, on the police psychologist, because it has been in place for a number of years and obviously it's a vital service. But, I think Councilman Onorato has raised a good point about whether or not the Administration couldn't approach some of the larger institutions, the University Health Center, Allegheny General, and the like. It is a significant amount of money, \$65,000,00, it's not significant as far as the overall public safety budget or the police budget but it is an important area where I think we could probably network, and I think Mr. Onorato has repeatedly raised this issue over the last few years. going to vote for it because I think -- it's in place and I don't think we can be disruptive to the need for the service, but I personally believe -- and my colleague has raised a good point, and I would ask that the Administration please give the consideration to negotiating some in-kind services with some of the professional institutions that exist in this City.

Other discussion? Councilman

Mr. Udin:

On Bill 622, I will be voting against Bill 622. It, like the Curfew Bill, I believe is a fraud and an abrogation of our duty and responsibility to provide leadership and solutions and real genuine answers to the perplexing problems that confront us, rather than cosmetic Band-Aids. I believe that it will be disproportionately implemented. I believe that most of the vouth will be arrested on this Curfew Bill will come from certain communities. particularly Africancommunities American disproportionate manner. I would hope

that the claims that have been made throughout this debate for close monitoring of this curfew and how it's implemented and whether or not it is disproportionately implemented, I hope that those were not idle and empty claims, but we will actually monitor it and actually review and evaluate it after a period of time, six months, I believe it was the case, and if we find that it is being disproportionately implemented, that it will be abandoned. Thank you.

The Chair:

Thank you, Councilman Udin. Councilman Onorato.

Mr. Oporato:

A comment on both bills. On Bill 566, I will be voting no for the reasons that Mr. Ferlo stated. My consistency and to my comments in opposition to doing the same thing just because we did it that way last year. I think this is a golden opportunity to tap into the nonprofit institutions in the City that have the tax exempt status and yet they can still live up to what their motto is here to provide services to the community. So, I will be voting no, it has been too long and nothing has changed.

On Bill 622, I'm more convinced now than ever that the curfew should be here. I'm glad we're at that point. And, the reason I'm there -- I'm just going to give two quick examples -- this weekend up in the Brighton Heights area, I was swarmed with calls on two pieces of property for kids that were averaging six years old, that were out at 3:00 and 4:00 in the morning, about 10 at each location, that were totally out of control, with noise,

with activity. And, I would like to point out that every single one of these examples that I'm pointing to, were white children, and I will be calling the police immediately when the curfew is implemented to make sure we pick these children up. It was dangerous for them, they're out running on the corner of some of the most -- the highest traffic areas on the North Side, and I can't imagine why 6, 7, 8

year olds are out in the street at 3:00, 4:00 in the morning, it's time to pick them up, find out where's the problem and hold those parents accountability. Curfews time has come. I hope this thing passes finally.

The Chair:

Thank you, Councilman.

Mr. Ricciardi:

Thank you, Mr. President.

And, I'm very pleased to vote on the guidelines today for the Curfew. President Clinton is winning applause throughout this nation when he talks about the Curfew, and unfortunately in the City of Pittsburgh there's still some opposition or opponents, and I just don't understand. Mr. Onorato just gave an example. If I had any reservations they were quickly dispelled this weekend. When my wife and I were out, we were coming around the West End Circle and there was a child there, a child.

maybe, maybe 10 years old, not properly dressed. At 12:30 a.m., there's no reason for that child to be out. I really believe it's time that the entire City of Pittsburgh come up and start raising children. And,

what I mean by that, if there's not parental responsibility out there, if there is not parents taking care of their children, we need to step in to see if there is a problem. because these kids are screaming for help, there's just no doubt about it. Mr. Onorato just raises an example that really even puts me back, and that is that I just can't believe that 6, 7, 8 year olds are out 3:00 a.m. in the morning, and I believe that story, I don't believe that's an exaggeration, I believe that's a true story, and if we really as parents believe in the well-being of our kids, I mean I never realized the importance of parenthood until I myself had a daughter, and I'll had tell you, I think kids need help, and I'm willing to stand up and say that it's about time, that if parents can't do it, government needs to step in, not just for the peace and quiet and tranquillity and the safety of the neighborhood, but just for the peace and quiet and tranquillity of that inner person, that child and the safety of that child.

I do believe, though, and I will say that Valerie McDonald has a very good point, and that is that if we see that certain neighborhoods are needing help more than others. and that is that neighborhoods are standing up but there's more kids breaking the curfew, we shouldn't be bringing them Downtown to the Central Business District but we should be working with our churches and other agencies within that particular neighborhood and really just transport them to that particular center. haven't forgotten that, Valerie, that you raised that issue several months ago, I think that was a very important issue and I'm going to keep that in mind.

But again, Clinton is receiving applause throughout the nation. This is

definitely a thing to come, other communities are doing it, and it works down McKees Rocks, it's working in McKees Rocks. So, if it can work in McKees Rocks, I think it can work here in the City of Pittsburgh. Thank you.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Last few words on this. I will support this -- the guidelines, because I certainly think we need guidelines. It's a law that we are going to have a curfew. So, I'll certainly support the guidelines. I think they've had a lot of police input, and I think they will be a benefit.

I do question, though, just from the last couple comments, where are all our social organizations that we've been supporting through not only our own money but many, many tax dollars, and my biggest objection, just for the record, is still the \$250,000.00 we're spending for the Downtown Center. I would like to -- if we're going to do it for one year, I certainly would like to see us work for -we have local organizations, we have local police stations. To me it's a big waste of money and the tax payers are very shocked when they learn about the \$250,000.00. But, the guidelines are good and I will support them today.

The Chair:

Thank you. Other discussion?

Again, I think the public is somewhat confused because we have been kicking this curfew issue around for the last year and a half, it seems, if not longer. I don't agree with the curfew and I did not vote in favor of the initial ordinance sponsored by Mr. Cusick creating the Curfew Bill. It did win majority support.

The bill we are voting on today is actually one of three different bills that this Council has been presented by my colleague Mr. Cusick. While I disagree with the curfew, I do applaud my colleague for his perseverance and his delicateness in the last year and a half in making sure that there's some activity and final resolution to this bill. I don't think we'd be here today if it wasn't for the fact that he was so committed, and I think it's a fundamental belief and a level of sincerity on his part in wanting to do something good for young people in this City.

I respectfully disagree with the notion of the curfew, fundamentally on the issue of Civil Liberties and fundamentally in a selfish way, and this is, in my District, Zone 5 and Zone 2, my Council District, I think we are going to be disproportionately affected by the enforcement of the Curfew Bill. detrimentally, I think fundamentally, when we look at the allocation of number of officers, in my two zones, Zone 5 and Zone 2, I predict that on critical nights, Thursday, Friday, Saturday, Sunday nights, in my District, because enforcement. presuming there enforcement of curfew, we're going to be detrimentally impacting those in my district, who have specific emergencies, who have called 911 and are not going to have a police officer available because they are actually tied up for a few hours at a time implementing curfew. I know maybe there's a few head shaking that that's not going to be the case, I hope that

it's not, I hope I'm wrong on this point, but I have to be realistic about the number of officers I have in the zones that I represent. I represent two zones that have the highest incidents of police response to crime when people call 911 and if officers are tied up I think it's going to fundamentally be detrimental to the individual who has a higher level or a more serious crime to property or to their person, and that's fundamentally one of the concerns I have. I hope I'm wrong on this point. I hope that that is not going to be the case. I hope that the new Chief will evaluate every day what the impact is and whether or not it adversely affected response time to more critical time. Obviously that's going to be an area that I'm going to have to really watch on a daily basis.

So, again, I hope I'm wrong on that point, but I've been around City Hall for a number of years and I think unfortunately that is going to be the case, because there's just so many number of officers to go around.

I am completely flabbergasted also at the response from the Administration that somehow the C.O.P. Officers are not going to be involved in this curfew issue. I don't know about my colleagues who support the notion of the curfew, but I would think, based on the model that we're developing and the other set of bills I did vote for, and that was creating a community support system, hopefully not at the Downtown D.P.S. but with various agencies at the community level. I voted in favor of that, because we're going to have the curfew, which I don't agree with. I think we need to do it in the most progressive way, and that is, networking with agencies, social services and others who have expertise in dealing with youth in crises, and supported that. And, I'm going to vote in favor of Bill 622 today. the guidelines, because I think we're going to be headed for lawsuits. I think clearly a majority has spoken and we're going to get a curfew, and if we're going to get a curfew, I'd rather see it with clear guidelines for the police officers, including the knucklehead police officers that are going to be out there interacting with these young people, and I believe that we need resources from the Block Grant federal dollars to pay for the community support system that Mr. Cusick has articulated over the last few months.

But, again, in the end, I am very fearful that those in my District who have major emergencies based on immediate threats to their life, to their property, to their homes, are going to be adversely affected. And, I'm extremely disappointed that the C.O.P. Officers, of which there's over a hundred out there, who are most online interacting with the young people, hanging out in the Business Districts, hanging out in our parks, those are the officers that should get added extra training as it relates to interacting with these young kids with the notion of Mr. Cusick's Curfew Ordinance, and for the Administration to say, well, they're not going to be the ones involved, it's going to be the squad cars in the various quadrants and the various zones, to me it is just illogical and suggests that Administration really has not gone back and really deliberated in terms of how they're going to make this bill effective.

So, other discussion? And, I hope wrong on everything, but I don't think so. Councilman Ricciardi.

Mr. Ricciardi:

Let me state that, I represent Zone 3, and in Zone 3 we have the lowest reportable crime in the City of Pittsburgh and we're very happy about that. That does not come easy. We have a lot of great block watches out there, a lot of fine people do a lot of work. I spoke to the Commander, spoke to our officials in Zone 3, and we're going to strictly enforce the curfew in Zone 3. Let's talk about the enforcement aspect. It's going to be enforced in Zone 3, and as Mr. Cusick notes, he has met with many of the police officers.

So, if there are people out there, if there are children out there breaking the curfew, they are going to be taken to the Central Business District. If we don't have anyone arrested in the area, I'm very pleased about that. It doesn't mean that the curfew is not being enforced in Zone 3 and means the kids in Zone 3 are obeying the curfew. So, when you look at the numbers, you also have to look at, no one is being arrested by Zone 3, doesn't mean that they are not enforcing the curfew, it means hopefully that they are actually obeying the curfew and I'm very pleased to announce that. This is going to be enforced in Zone 3. It's another working tool that all of my block watches, that are supporting, they are looking forward to it. My community groups have corresponded with me, they're supporting it.

So, concerning the enforcement aspect, I'm hoping, I'm wishing it's going to be mandated, it's going to be enforced in Zone 3. Hopefully there's not going to be one arrest. It has nothing to do with race, it has nothing to do with neighborhood, has everything to do with

obeying the law and staying in after midnight on the weekends. Thank you.

The Chair:

Thank you, Councilman. Other discussion? Hearing none, roll call vote on all the bill.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 7 NOES 2

(MS. McDONALD AND MR. UDIN VOTING NO)

The bill having received the legally required number of votes passed finally.

The Chair:

I would also ask that -- we had a Committee Special of Council. Councilman Cohen, the Chairperson of Public Safety, Mr. Cusick, the sponsor of Councilwoman the Ordinance, and McDonald, we ask that group meet with Administration regarding implementation of the curfew, specifically in the areas of the community treatment facilities and how this curfew actually unfolds in the coming weeks and months. So, I would please ask that group meet. I would also ask, though, that group also look at response time issues, in particular, my two zones, Zone 5 and Zone 2, and if you could shed any light on the facts

regarding the enforcement, we would very much appreciate that information.

Thank you for your help on that Committee.

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Mr. O'Connor.

MR. O'CONNOR PRESENTED

Bill No. 740

Report of the Committee on Engineering and Construction for June 12, 1996, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 633

A Resolution entitled, "Resolution providing for a Right-of-Entry and Maintenance Agreement or Agreements with the Port Authority of Allegheny County with respect to the proposed slope remediation work on the Mt. Washington Slopes above the Conrail shelf in connection with the Phase I Airport Busway/Wabash HOV Facility Project."

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

AYES 8

NOES none

The bill having received the legally required number of votes passed finally.

The Chair:

That concludes our Reports of Committees. Under Motions and Resolutions, are there any matters to be brought before the body?

MOTIONS AND RESOLUTIONS

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Colleagues, I'll be brief. One, I will maybe need some information from the Chair of Parks and Recreation. I remember several months ago, we even voted for a line item in order for consulting fees to help our pools open on time. The public schools are out. It was my understanding that swimming pools were going to be operating this week, they're not in my District. Mr. Cusick, do we have a time frame for opening up the swimming pools?

Mr. Cusick:

I'll have to get back to you on that, Mr. Ricciardi. I'll have that answer for you.

Mr. Ricciardi:

Because Bob O'Connor and I were at an event last night and several parents approached us and I was unaware that the swimming pools did not open immediately after the public school closing. We're very concerned about that. We voted for I think an additional \$10,000.00 for a consultant. I mean let's get moving on this.

The second thing is, just to bring back. Several colleagues and myself, Mr. President, we opposed --

The Chair:

Excuse me, Mr. Ricciardi. Just on this point, Mr. Udin, did you have another point?

Mr. Udin:

Yes, I did.

The Chair:

Just on the issue of the pools.

Mr. Udin:

If you don't mind, Mr. Ricciardi.

Also, the rumor mills are starting to grind, and I think that the sooner we get information out to the public relative to the status of the swimming pools, the better. I did get what I consider to be a thorough and effective management plan that Parks and Recreation will be putting into effect relative to the lifeguards and management of behavior at the pools. I hope it will be implemented in the way that it was described. I have received calls in my office indicating that there's a rumor going around that Ammon is not going to open, and I would hope that, one, if that's true. I know it can't be true because I know I would have told, if that were the case, and secondly, I would hope that the information would be forthcoming to squelch the rumors.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you. I'd just encourage everyone to take a look at those books that float around this building, those thick books that tell you Parks and Recreation and all the summer plans, they have dates, they have phone numbers, they have prices, they're very inclusive. Take a look at them.

Mr. Udin:

Also they're very inaccurate.

The Chair:

But, will you please communicate to the Director regarding this issue. Or maybe communicate to "Our Man Flint", the new Deputy Director they hired from Flint, Michigan, or wherever.

Mr. Cusick:

I will have answers for both Mr. Ricciardi and Mr. Udin directly after the meeting.

Mr. Ricciardi:

On a different issue, Mr. President. since you mentioned Michigan. Several months ago several colleagues and myself were very outraged that we were looking outside the State for an Assistant Director. If you recall, there were two positions open for Assistant Director in the Department of Parks and Recreation, it appeared that both positions were going to go to non-State residents. At that time several of us raised an issue at this table. and I remember Bob O'Connor was very articulate on this matter. We were very pleased at that time that after a special meeting with City Council, one of the positions went to a City resident from Mt. Washington. I thought that was an excellent choice because, as everyone I think agrees that we should first look within the department, within the City, and then hopefully within the County.

Just to give an example. At the PWSA, Pittsburgh Water and Sewer Authority, I'm on the Personnel Committee, 64 resumes came in, and I eliminated everyone outside of Allegheny

County. I thought interviews just go to your City resident or your suburbanite of the City.

But, let me give an example, we spent all this time to look outside the State for the Assistant Director position, it was offered to a gentleman from Michigan. The guy came in, brought his family, looks as though his family didn't like the City of Pittsburgh and he declined the offer, turned it down. All this effort, this work. this time, resources to advertise outside the State, nationally, to bring these people in, the guy's wife didn't like the City of Pittsburgh. I'm not sure if I even -- don't want to get personal -- but I never met the wife, and if she didn't like the City, great. And, let me tell you why "great", I hope this time the Murphy Administration and the Director of Parks and Recreation do not leave Allegheny County to hire for an Assistant Director. We have fine people in the Department, and if you have to go to the City of Pittsburgh -- and, colleagues, I'll be honest with you, even if you have to go to one of our suburbs, that's fine, but to waste time, resources and money and to have a gentleman come in from Michigan, another guy from California, another guy from Erie, and then all they do is they turn the jobs down, it's a waste of time. As a matter of fact, I'm going to be presenting legislation that any time you leave Allegheny County, you have to get a waiver from this body to hire anyone from outside of Allegheny County for City employment. I'll check with the Law Department and make sure it's legal. But again, we just wasted time. It was an insult to the employees, it was bad for morale and it should have never occurred. Thank you.

The Chair:

I've never been to the armpit of the nation, Flint, Michigan, but I would suggest that this gentleman probably had other concerns that involve the Administration and that Department.

Mr. O'Connor.

Mr. O'Connor:

I just want to commend Mr. Ricciardi for what he just said. And, it is amazing when you think of 150 parks and swimming pools, if you bring somebody from out of town, it will take them a year to find out where everything is at. So, I'm very concerned and I would support him in any legislation he can do to at least hire Pittsburghers or Allegheny County people first. And, just to echo what's going on, I think the new Warden at the Jail that they hired from out of State came in and rejected the job, too. So, I mean when are we all going to learn here. There's a lot of good people in this City. In fact, one of the major problems we face everywhere is our young people leaving for other jobs. So, I don't know when the leaders in this region will wake up and find out there's a lot of talent here.

The Chair:

Thank you. If there's one department that has a talent in house, people at mid management, lower management positions, supervisory level, if there's one City Department, and I've been in office for nine years and I've been a community activist for 20 years before that, and if there's one department that deserves to promote from within positions of Director, Deputy, you name it, it's the Parks Department. We've chased away

some of the best Administrators that we've ever had in this Department, and I don't know when we're going to start speaking with one voice with this Administration, but we better start making some changes because we're chasing away some of the best talent that we have in this City. And, Mr. Murphy can have all the re-election dinner banquets with the employees he wants but if he's not going to be respectful and give leadership and promotion to our work force, he's going nowhere fast.

Any other discussion? Mr. Ricciardi, you had a second point, before our post agenda meeting.

Mr. Ricciardi:

No, the first point was the swimming pool openings, Mr. Hertzberg believes it's happening tomorrow and I hope he's correct.

Mr. Hertzberg:

There were also regional ones that opened on Memorial Day.

Mr. Ricciardi:

The second point is, like the PWSA will do, let's hire County residents, especially City of Pittsburgh residents.

The Chair:

Thank you, colleagues. Again, we have a post agenda meeting in five minutes, immediately following this session, regarding the City's situation with recycling. I would ask my colleagues to try to participate in that session. It's going to be a brief session. We're not going to keep people here all day.

With that, I'll entertain a motion to adjourn and approve the Minutes.

MR. ONORATO moved to approve the Minutes of Tuesday, June 4, 1996.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

And on the motion of MR. ONORATO

Council adjourned.

ADDENDUM

- Councilman Onorato, Cusick, and O'Connor comments -on Bill No. 625 and 626 can be found in the Standing Committees Meeting minutes of June 12, 1996
- Councilwoman McDonald -comments on Bill No. 622 can be found in the Standing Committees Meeting minutes of June 12, 1996

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M, JOHNSON-WASLER.....CityClerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA Tuesday, June 25, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
(Pres't)

The Chair:

Would you all please rise for the pledge of allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have a young lady here this morning, Kimberly Clark. Kimberly worked in Council last year in the summer. She's back with us as in intern. She's a resident of Homewood-Brushton, in Councilwoman McDonald's District. She's

again a summer intern and she's attending Indiana University of Pennsylvania. She's in her Junior year and she hopes to go into criminal justice and maybe we'll get her involved in the Civilian Review Board. Kimberly is gonna lead us in the Pledge of Allegiance, Kimberly.

Kimberly Clark:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Thank you Kimberly very much, we appreciate it. We give you the flag of our great nation and the flag of our city.

We have a number of guests in the audience this morning. Some of my other colleagues will be in here shortly. As usual the Mayor always schedules a press conference to conflict with this legislative meeting when he doesn't want us to be involved in the issue. Like the location of the Stadium. But we have a number of guests here in the audience this morning, in addition my good friend Charlie DiNardo, who's here. But at this time I call on Councilman Joe Cusick.

Mr. Cusick:

Mr. Trefz and his guests, will you please come up. Please, all of you.

The Chair:

The Honorable Ira Weiss is here

Mr. Cusick:

Thank you all for coming, and good morning Mr. President.

The Chair:

Good Morning, Mr. Cusick.

Mr. Cusick:

Bill No. 741

WHEREAS, William C. Trefz began his 20 year career at the Allegheny County Santary Authority (ALCOSAN) in 1976 as Chief Engineer and promoted to Executive Director in 1987; and,

WHEREAS, Before coming to ALCOSAN, Mr. Trefz served for 30 years with the US Army Corps of Engineers retiring with the rank of Colonel serving in Germany, Italy, Korea, Thailand and Victnam where his assignments covered a broad spectrum including troop command and training, construction, teaching, research and development, facilities management, and nuclear weapons experience as well as the management, construction of air and water pollution control projects; and,

WHEREAS, Under the stewardship of Mr. Trefz much has been accomplished at ALCOSAN including: development of the ACT 537 Plan, a capital improvement program, which addresses elimination of remaining odors, expansion of plant capacity

and a 75 percent reduce of CSO's: Establishment of the land application program utilizing biosolids to enhance growth on agricultural and stripped mine lands in Ohio and Pennsylvania; Installation of efficient Multiple Hearth Incinerators: Implementation of the Industrial Waste program which dramatically reduced the flow of Industrial by-products to the plant and rivers; Plant process improvements automated control systems; Initiation of a plant safety program which reduced accidents and Worker's Compensation costs; and the establishment of a public education program; and,

WHEREAS, Mr. Trefz has received a Bachelor's degree in Engineering from the United States Military Academy and a Master's Degree in Civil Engineering from the University of Illinois and is a Registered Professional Engineer in Pennsylvania and the District of Columbia and has been the recipient of numerous awards, most recently being the American Society of Civil Engineer's Service to the People Award.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, Hereby honors and commends William C. Trefz on his many years of dedicated service to his country, the state of Pennsylvania, the County of Allegheny and the City of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, Hereby declares June 28, 1996 as William C. Trefz Day in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. HERTZBERG seconded the motion. Which motion prevailed.

Mr. Cusick:

I had the honor the last couple years of serving as a board member of Alcosan and working with Mr. Trefz. I can only say, it's been a real honor. When you see the type of dedication that this gentleman has shown to the residents of Allegheny County, to the residents of this State, and to this Country. I think it is only what we look for, when we look for role models, when we talk about role models for our children. Mr. Trefz's I can only say that it has been a true honor working with you. Prior to bringing you up and allowing you say a few words, we have some guests with us. Ira Weiss, the former Chair of the Board of Alcosan and still Board Member of Alcosan. Barlick, Public Relation Manager and also in charge of Frankie the Fish was another one of Bill's great moves. Carolyn Gallo, Public Information's Specialist. Director of Environmental Tamilia. Compliance and Arletta Williams, Director of Operations and Maintenance. Ira, would you please join me up here and say a few words?

The Chair:

I see Ralph Horrigan out there. I believe he is an Alcosan Board Member also.

Mr. Cusick:

I'm sorry. Ralph, please, come up and join us.

Ira Weiss:

Thank you Councilman Cusick. I certainly don't want to repeat the many things that Councilman has said about Bill

Trefz, but I think there are several things that I think ought to be said on his behalf. Bill Trefz has spent nearly 20 years in this county making life better for everyone in this county. Unlike almost any other facility that I could think of. Alcosan touches everyone's lives. Not only the 81 communities that we service, but really all of Allegheny County. It's really a catalyst for development in this county. Bill Trefz has approached his job without political agenda and without personal agenda. He has approached his job in an honest way. He has been very active in many national organizations, which have furthered the environmental causes that Alcosan had exemplified including beneficial reuse of solids and a number of other things. He has also, in my view, been a champion of affirmative action at Alcosan and being a good neighbor with Brighton Heights, which, of course, is right next to our plant. I think the City of Pittsburgh and the County has been far richer for Bill Trefz's service and will be far poorer for his leaving. On behalf of the Board, I want to thank City Council for its action today for recognizing a true public servant in the true sense of that word. Thank you.

The Chair:

Thank you Your Honor.

Mr. Cusick:

Thank you Your Honor. Ralph, would you like to say a few words?

Ralph Horrigan:

It's kind of hard to follow Ira Weiss and his eloquence there. Thank you Your Honor. I share the same sentiments about Bill Trefz. Bill has been a leader. I think when everybody sees the boats on the river and the Regatta's coming up and the other things we do with river front development in the city. One of the many people that we can thank and one of the great leaders for this region over the last decade, has been Bill Trefz in making all that possible.

The remarkable thing about Bill is that he has universal respect. It's a measure of his leadership abilities that if you talk to the union, if you talk to the managers, if you talk to Board members, it doesn't matter that everyone may disagree with Bill and Bill is a very strong willed person and he'll give you his opinion when he thinks you need to know it. But, most certainly you respect him at all times. So, thank you Bill. The City thanks you and certainly it's been a pleasure working with you.

Mr. Cusick:

Thanks Ralph. Ralph also is a Board Member of Alcosan. Would one of the employees now like to say a few words so we could find out what Bill's really about.

Arletta Williams:

This is rather spur of the moment. I could become extremely emotional because of the things that the Executive Director has done for me in the 12 years I've been at Alcosan. He's been a mentor unlike any other. He's been a great guide, a confident, he has been a good friend and he is always an excellent leader. I'm gonna miss him, we're all gonna miss him and I thank you for what you did today. Thank you, Thank you sir.

Mr. Cusick:

And now, Mr. Trefz, would you like to say a few words. Here's a certificate of recognition and a plague from our Council.

William Trefz:

Thank you. I better start looking around and looking for this guy they've been talking about in the past ten minutes. I'm not sure I'm the right guy. I'd like to thank Mr. Cusick, I'd like to thank Mr. Ferlo, the Council President, and all members of Council. I do have a few comments.

There's been a long association of Alcosan with the City of Pittsburgh and Allegheny County. The County took the initiative in 1946 to form Alcosan, but it was the City who loaned Alcosan the money to get it started and get this thing on the road. So we have a lot of our beginnings is the City. The past 50 years, this has been a partnership. City, County, Alcosan partnership for the past 50 years. We've had 83 municipalities involved with it. The task of eliminating sewage from our rivers was a tremendous engineering and political effort. Credit for this goes to the first Executive Director John LaBoone, assisted by his great friend, David Lawrence, who had the political clout to make it come into effect.

Our plant became operational in 1959 and it was sighted at that time for doing more for the health of Allegheny County than any other single event. Cooperation between Alcosan and the City has been the word. Improvements to the Saw Mill Run interceptor already accomplished and underway at present are an example of this cooperation between Alcosan and the City.

To turn to a contemporary issue, there are those who are campaigning hard to

privatize Alcosan. I know Alcosan better than anyone, and I say this is wrong. I'd like to summarize a few points we discussed here in this chamber about 3 months ago.

Alcosan's environmental First. records is outstanding. Second, we operate Similar plants in with 320 employees. Cincinnati, Milwaukee. Seattle and Columbus have 450-500 employees and Louisville has over 1,000. Next point, our rates are well below the national average. My last point is that we support local business. Our contracts and purchases are awarded locally. 90% of our consultants and contractors are local firms. The other consultants are national firms who have local offices. Control of Alcosan today is a 2 step process. The first people to the elected officials. Then the elected officials to our Board Members. We do not want to insert a third layer, a private contractor headquarters in New York or California.

In closing, I'd like to thank everyone for this recognition today. This is really a testimonial, not only to the Alcosan Management people, but to the 260 union employees at Alcosan. This has been a great team that I've worked with every day for the past 20 years. Thank you.

The Chair:

Thank you Bill.

Mr. Cusick:

Finally Bill, as a token of my appreciation, just a cake of your 50 years of public service.

William Trefz:

Thank you Joe. Thank you. Thanks everyone.

The Chair:

Thank you, thank you very much. While your getting a picture Bill, I just want to add my voice for the public record. I've only had the pleasure of working with you for the last few years. I think it's been clear that you've been an outstanding public servant. The position of the Director of Alcosan and Bill in particular. He's actually managed and run efficiently one of the largest public utilities serving over 83 municipalities and hundreds of thousands of residents throughout Allegheny County and I think we need to applaud him. And I think the points well taken. I was recently asked to be on the Alcosan Oversight Committee by the new Commissioners and I am waging a little bit of a battle there in terms of some of the fixations that some of the colleagues have on that committee relative to the issue of privatization. As we battle Equitable Gas and Duquesne Light on rates. When you look at the track record of Bill and his leadership at Alcosan, whether it be customer service, whether it be the lowest rates of any utility throughout the Western Pennsylvania area. When you look at the Capital improvements that have been made and how the money has been spent over the last decade in particular, the environmental track record of Alcosan that Bill has mentioned. And equally important as Ira has stated, the tremendous amount of commercial and residential development that has gone on a boom in this county really. over the last decade. None of which would of been capable without the operation of proper sewage and its treatment. And we don't look at that when we start talking about development. But if you don't have the sewage hook up, your not gonna develop available land. And I think unfortunately its easy to take cheap shots at Alcosan and Bill

certainly is personally offended by that rightfully so because he's managed well a very important utility in the lives of hundreds of the application of residents. And, again, I just what to applied him for his career and I before we have a position open for the Director of Water and Sewer Authority. Maybe you want to continue your career Bill. But again, congratulations, I want to thank my colleagues for bringing you down here today. Thank you.

William Trefz:

Thank you.

The Chair:

And Bill, your Alcosan bill is still higher than your TCI bill, so you can't be all that.

We have other guests in the audience this morning. At this time I would like to call on Councilman Cusick and Mr. Ricciardi.

Mr. Cusick:

Mr. Ricciardi would you join me? I know you want to say all these last names so I'll give you that opportunity.

The Chair:

They're bringing the kids in. O.K. What does that mean? We're waiting for a delegation?

Mr. Cusick:

The hockey teams out in the hall.

The Chair:

O.K. We need a drum roll I guess.

Mr. Cusick:

These hockey teams are tough.

The Chair:

We have a delegation of young people here today who are hockey players.

Mr. Cusick:

They're coming.

The Chair:

Are they gonna skate their way in? Yes they are, O.K. We have the Phillips Park Hockey Team here this morning.

Mr. Cusick:

Everyone can come up.

The Chair:

Hey folks, your welcome, please come and join us right up here so we can get you in the picture.

Mr. Cusick:

Anyone associated with the hockey club, please come up. Please feel free to come up and join us. Come on Colleen. Are you guys ready? Now, if I mess anyone's name up, Mr. Ricciardi told me how to pronounce them all.

Bill No. 742

WHEREAS, Team Phillips, a deck hockey team consisting of nine year old boys from the Carrick, Overbrook and

BonAir communities, was founded on March 11, 1996; and,

WHEREAS, On June 8, 1996 Citiparks Southern Division held the first Citiparks Southern Division Hockey Tournament; and,

WHEREAS, In the opening round of play, Team Phillips defeated Markethouse by a score of 1-0 with the lone goal scored by Center Mike Seelhorst; and,

WHEREAS, In the semi-final, Team Phillips defeated team Olympia in a very close game with the winning goal scored by right winger Ryan Zaharko with less than 13 seconds left in overtime; and,

WHEREAS, In the championship game, Center Mike Seelhorst scored two early goals to take a 2-0 lead, while Goalie Steve Wojsovick played 10 periods of scoreless goaltending before giving up his only goal with 2 seconds left in the championship game; and,

WHEREAS, Defensemen Eric Barringer, Kenny Kass, Andy McGrady, Patrick Morgan, Doug Englert and John Cooney played great team defense by limiting the number of rebound shots and Wingers Jody Davin, Justin Levy and Keith Monahan, Justin Ritz and Mike Miller all contributed to the win.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Team Phillips, players, coaches and park staff on a successful season and many more to come.

MR. RICCIARDI moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cusick:

Well, I just want to thank all you guys for coming down here today. We have a little plague for you. If one of you guys can hold that and we're gonna give you an opportunity for a couple of you to come up and just say a few words. Would one of the coaches like to, or the coach like to come up.

Coach:

I'd just like to thank Council for allowing us to play in tournaments like this and hope you can keep the funding up for stuff like this so these kids can grow as human beings and have a great future. Thank you.

The Chair:

Thank you.

Mr. Cusick:

Now, who's Michael Seelhorst? Ah, you got to talk Michael.

Michael Seelhorst:

I had a lot of fun playing in this hockey tournament.

Mr. Ricciardi:

Thank you very much colleagues. I told Mr. Cusick that he should handle the Irish names and I would handle the Eastern European names. I'm at least Ukrainian, I would have done a good job with that. But, I really think a lot of people need to be commended and congratulated.

First of all, are really the parents that have really put in a lot of effort with these fine young men here. And also Citiparks who have really helped organize the events. I had an opportunity to watch them play and they're very aggressive, they're good players, and they're being taught a lot. One is competition, but more importantly it's one of friendship and learning to get along and work very hard for a goal. And I thank Mr. Cusick for allowing me to be a part of this resolution since I do represent a very small part of Carrick. And with that note, I want to congratulate all of you. You've done a very wonderful job and I think the Market House, they said they might be back next year strong. So, you have a lot of practicing going on. But I really want to thank the parents for all your fine work. Thank you.

The Chair:

Councilman, I noticed some of the parents had cameras. I don't know if they got pictures, but you may want to take some pictures outside of the doorway there. Congratulations to all those young guys. Councilman Hertzberg, you have some important guests here in the audience this morning.

Mr. Hertzberg:

Thank you Mr. President. Would Patrick Dinardo come up together with, I think his brother Charlie's here and his wife Janet.

Pat Dinardo spent 35 years teaching in the Public Schools in this area. He is retiring now and I'd like to honor him this morning. He's one of these teachers that, whenever your talking to anyone from the Elliot Community, he's one that no one will ever forget. Let me read this before going any further.

Bill No.743

WHEREAS, Patrick DiNardo, husband of Janet DiNardo, having been a Physical Education Teacher for 30 years at Thaddeus Steven's School in Elliott, 20th Ward of the City of Pittsburgh, is retiring; and

WHEREAS, Patrick DiNardo has been a positive influence to children, teachers, and community; and unselfishly gave his time to not only teach, but organized after school programs such as basketball, school patrol, and many extra curricular activities to benefit students; and

WHEREAS, anytime another teacher, student, or parent had a problem, Mr. DiNardo and his wife Janet were there to help; and

WHEREAS, Mr. DiNardo was a great help to the Parent Representatives and the Volunteer Program and their success was due to his competent guidance; and

WHEREAS, Mr. DiNardo and Janet provided encouragement and advice to students and are the reason many students have gone into the work world and become successful;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh and the Thaddeus Steven's School students, teachers and community thank Patrick and Janet DiNardo for their wonderful contributions which have influenced their lives, and extend best wishes for a happy, healthy and relaxing retirement.

MR. CUSICK moved to adopt the resolution.

MR. RICCIARDI seconded the motion. Which motion prevailed.

Mr. Hertzberg:

Congratulations Mr. Dinardo.

Patrick Dinardo:

Light in City Council. I'd like to say thank you to City Council, to all the members involved in this award. I wish to say a few words, because no one is successful unless they have supporting casts. And I had a wonderful supporting cast beginning with my family, who are very much involved in the City of Pittsburgh and building roads and bridges and for my brother Charles. Who when I lost both parents when I was still a teenager made sure that I got through the University of Pittsburgh without a worry. He went to work everyday to make sure that we had a way of making ends meet. I wish to thank my sister, who, of course tried to be the maternal person in my life at that time. And thanks to Dirt Dinardo, that many people know from the Stadium, who is a character in our family, who often times helped me with summer jobs also. I wish to also thank the people of the West End, who allowed me to have so much of their children's time and their trust, because I really, really enjoyed the 30 years in the West End. The 35 years of teaching, 34 of them in Pittsburgh, because of parents who are very cooperative. who allowed you to do your job and when them. they responded. vou called Throughout all my career though, there was one element that I can't measure, and that element is my wife Janet Dinardo, who gave freely of her time, not only in the gym in the summertime with the children, but with all the classes in the building. She had a special knack with the children with special needs. Many times she spent hours and hours of her time with children who are having great difficulties in school, and would help those teachers who were having those difficulties. She's the true hero in all of this because she gave freely of her time while I was compensated. Though, I must admit, we started at \$20.00 a day. I hear how well teachers are paid today. I don't think there's a measure of payment for teachers who care about children. The real measurement is, what is being accomplished, and I know this is important to everybody. For teachers to be successful, they can only operate off the basis of the first teacher or teachers which are the parents. If we keep the parent unit together, we can be very successful. Maybe that's what we need to turn our attention to as we go along in the era of education. Not looking to place blame on teachers, parents, organizations, but to say we need to strengthen the family in order to strengthen education. Thank you so much again for wonderful opportunity and wonderful award. Thank you.

The Chair:

Janet or Charlie, would you like to say a few words? Put you on the spot there. all right, Janet's shy. Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Mr. Dinardo, Patrick? One can visit many living rooms and many ball fields in the West End and throughout the City of Pittsburgh and your name was well respected and loved. If you talk to Ralph, who works for Councilman Alan Hertzberg, you really get a true meaning of what a mentor and a teacher is to young

people, throughout the city. So, you've touched many, many lives and you dedicated many hours and I think you're deeply appreciated and will always be remembered here in the city. But especially in the West End. I really want to commend Alan Hertzberg for bringing you forward, because these are what these true resolutions mean. And I'd also like to personally thank you and congratulate you.

The Chair:

Thank you. I just want to add my voice. So your sister Franny fed me when I was 16, 17 years old, as we were sitting on the front porch on Bouquet Street and Charlie is also a very dear friend of mine. We worked on a lot of community improvement projects in my district. I just want to thank Alan for bringing you down and applaud you. I think you deserve two plagues, because you one of the few teachers that lives in the City and has made such a financial investment in your community. It just goes to show that if everybody else living in the City, like Mr. Ridel and everybody else, we'd have one heck of a City. Your committment to, not only to the young people, but your extra curricular activities out in the community are really to be applauded. I just hope this isn't the end of a career, but the beginning of a new opportunity to engage in your career in a different way, and I think your points well taken. There's an old saving "If you think education costs a lot, try ignorance." I think there's some truth to that. If you think nothing of spending \$40,000.00 a year on a prisoner, but we are concerned about the lifestyles of the teacher. We need adequately and well paid teachers. We just want to applaud you today for all your hard work for many years. Thank you very, very much.

Mr. Dinardo:

Thank you, Mr. President.
The Chair:

I hope Charlie's buying you lunch too, by the way.

I'd like to call on Councilman Ricciardi who has a number of guests in the audience this morning.

Mr. Ricciardi:

Yes, thank you.

The Chair:

Thank you Mr. Ricciardi.

Mr. Ricciardi:

Mr. President, colleagues, at this time I'd like to ask our 3 honorees if they would please come forward. Mr. Hugh Brannan, Executive Director of Brashear Association. Also, Robert Kress, who just recently retired as President of the Allentown Civic Association Council after 17 years of dedication. Helen Baney, who's also since 1979 been a secretary of that organization.

Colleagues, we have 3 resolutions before us. I'm very honored and pleased to say that we have three individuals here have really dedicated much of their lives to the Allentown Community in particular, and to the City of Pittsburgh in general. These 3 people have made Allentown such a exciting place to live and an exciting place to shop and an exciting place to play. If you just look at some of the projects that they've really overseen since they've been involved,

which is in the body of the resolution text. We're talking about, they were instrumental in keeping the trolleys in Allentown. Getting trees planted along Warrington Avenue. Monitoring the reconstruction of Arlington and Warrington Avenues as well as putting out a host of news letters, over 170 open meetings at 200 Executive Board Meetings, and of course, erecting our 17 Community Christmas Tree among other things. So, I'm very proud to present these resolutions, beginning with Helen Baney. I'll now read the text of the resolution, since I've mentioned some of the programs.

MR. RICCIARDI PRESENTS:

Bill No. 744

WHEREAS, **Helen Baney** has been Secretary of the Allentown Civic Association since 1979; and

WHEREAS, Helen Baney's service to the Allentown Civic Council began as Secretary and charter member for the Hilltop Civic Improvement Association in 1973; and

WHEREAS, under Helen Baney's leadership, the Allentown Civic Association was instrumental in keeping the trolleys in Allentown, getting trees planted along Warrington Avenue, monitoring the reconstruction of Arlington and Warrington Avenues, as well as putting out 125 newsletters, holding 170 open meetings and 200 Executive Board meetings and erecting 17 community Christmas trees, among other things; and

WHEREAS, **Helen Baney's** unswerving devotion and loyalty have contributed to the growth and vitality of the Allentown Civic Association.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognize and thank **Helen Baney** for her dedication to the Allentown neighborhood and to the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares Tuesday, June 25, 1996 "Helen Baney Day" in the City of Pittsburgh.

MR. CUSICK moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Congratulations.

Mr. Ricciardi:

We're gonna hold off just for a second, present them all at one time. We also have Hugh Brannan and people know Mr. Brannan is also Executive Director of the Brashear Association, a social service agency in the City of Pittsburgh, dedicating to the needs of over 12 neighborhoods, South and West of the Rivers.

MR. RICCIARDI PRESENTS:

Bill No. 745

WHEREAS, **Hugh Brannan** has been Vice President of the Allentown Civic Association for the past 8 years; and,

WHEREAS, under Hugh Brannan's leadership, the Allentown Civic Association

was instrumental in keeping the trolleys in Allentown, getting trees planted along Warrington Avenue, monitoring the reconstruction of Arlington and Warrington Avenues, as well as putting out newsletters, holding community meetings and erecting the community Christmas tree; and.

WHEREAS, Hugh Brannan has always been an advocate for the Hilltop communities and has served as Executive Director of the Allentown Senior Center since 1980; and,

WHEREAS, **Hugh Brannan's** unswerving devotion and loyalty have contributed to the growth and vitality of the Allentown Civic Association.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and thank **Hugh Brannan** for his dedication to the Allentown neighborhood and to the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares Tuesday, June 25, 1996 "Hugh Brannan Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. CUSICK seconded the motion. Which motion prevailed.

Mr. Ricciardi:

Thank you Mr. President and colleagues.

MR. RICCIARDI PRESENTS:

Bill No. 746

WHEREAS, **Bob Kress** has been President of the Allentown Civic Association for the past 17 years; and,

WHEREAS, **Bob Kress** has recently decided not to seek another term but will stay close to the organization in his capacity as "Immediate Past President" of the Executive Board; and,

WHEREAS, under Bob Kress' leadership, the Allentown Civic Association was instrumental in keeping the trolleys in Allentown, getting trees planted along Warrington Avenue, monitoring the reconstruction of Arlington and Warrington Avenues, as well as putting out 125 newsletters, holding 170 open meetings and 200 Executive Board meetings and erecting 17 community Christmas trees, among other things; and,

WHEREAS, **Bob Kress'** unswerving devotion and loyalty have contributed to the growth and vitality of the Allentown Civic Association.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and thank **Bob Kress** for his dedication to the Allentown neighborhood and to the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh percept declares Tuesday, June 25, 1996 Bob Kress Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you colleagues.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Tuesday, June 25, 1996 as, "Bob Kress Day", "Helen Baney Day", and "Hugh Brannan Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the presentation.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Thank you. With that, I'd like to ask Mr. Bob Kress if he would please come forward and say a few words. And Bob, personnally, I just want to say that my job is so easy, so much easier for all the hard work on a volunteer basis that you've done in the Allentown neighborhood and I really thank you for that.

Bob Kress:

I'd just like to thank, especially the members of City Council for their support over the years. There are a lot of different projects going back 17 years and different programs and issues that we brought before Council. I just need to thank you for the support and, once again, ask you to support our new President, Judy Hackle. You'll hear her name. She's been involved with the Civic Association for several years now and she's our new President. So, you'll probably be hearing from her as issues arise

in Allentown and I want to just ask you for continued support for our neighborhood. Once again, thank you for the support in the past. I need to thank our Membership and our Board Members and especially the folks that are retiring with me this year, Helen and Hugh, for the support they gave me as President and our Board and our Membership. So, I just want to thank everybody and I really appreciate this, thank you.

Mr. Ricciardi:

Also colleagues, if your fortunate, you might get invited to one of Helen's parties up in Allentown. She has a grand old house with a lot of memories and a lot of some older things including books and what not. It was a tremendous party several years But Helen has really been the backbone of the organization, the Allentown Civic Association. I really wanted to personnally thank her and she's just a A person of great tremendous person. popularity in the Allentown area. Helen, everyone just loves you. I think that's tremendous. On that note, I'd like you to please come forward and say "Hello" to City Council. Thank you. Congratulations.

Helen Baney:

President Ferlo and Councilman Ricciardi and Council Members, I thank you sincerely. You start a job, which was a volunteer job, not knowing where you'd go. I never thought I'd end up here today. I thank Bob and you and all the members who helped. They gave us the urge to prove our capabilities. I appreciate this day. Thank you.

Mr. Ricciardi:

Colleagues, on a personal note. Many times you hear about roll models and you think that a roll model is for young people. For kids to look up at adults, and adults are those roll models. But, let me tell you, Hugh Brannan is a roll model for adults and I really mean that. I've always looked up to Mr. Brannan throughout the years that I've known him back in the eighties. He's just a tremendous, caring, dedicated individual and he's probably touched more lives, South and West of the Rivers and he's probably been the roll model for as many people I know dating back to some people that unfortunately are no longer with us. I'm very, very proud and honored to hold this To hand this to someone I resolution. consider a dear friend, Mr. Hugh Brannan. Hugh, if you would please come forward. Thank you.

Hugh Brannan:

I'd like to thank Gene and the other members of Council for this recognition, but also for your support over the years for the Allentown Community. Working with the Allentown Civic Association and folks like Bob and Helen, it's been not only a pleasure, but a very rewarding experience for me. There are a lot of very exciting things happening today in Allentown. I tribute a lot of what is happening to the Leadership of Bob, who has demonstrated, over and over again, a real commitment to the community and we're very fortunate that he's played a leadership roll in Allentown over the years. Again, thank you.

Mr. Ricciardi:

Thank you.

I'm going to do something a little different. I'm going to ask all my colleagues

if they'll please come forward. I'd like to get a picture for our South Pittsburgh reporter with these very fine people. It's the first time I've ever asked that, but, they really deserve this and I'd like everyone in South Pittsburgh to see your pictures in our paper. Thank you.

The Chair:

We have a number of resolutions to be read into the record. At this time, I would ask that the clerk please read all of the resolutions for Councilwoman McDonald and Mr. Ricciardi together, and we'll have one vote on all the read and adopted resolutions.

MS. MCDONALD PRESENTS:

Bill No. 747

WHEREAS, "Celebrating Success and Planning for the Future" is the theme of this year's 10th Annual Hunger Service Network Dinner to be held Wednesday, June 26, 1996 at the Sheraton Hotel, Station Square; and

WHEREAS, Hunger Service Network is committed to meeting the needs of the transgry in Allegheny County, with concessions dignity, and integrity. Their good active eliminate hunger and encourage self sufficiency through emergency food assistance, food program counseling, networking and education; and

WHEREAS, Hunger Service Network has served more than 20,000 individuals each year since 1987, thus serving more than 250,000 people from 1987-1995; and WHEREAS, Hunger Service Network provides a host of countywide services which include Emergency Food Assistance, Food for Early Development, Food Stamp Outreach and enrollment, Pantry Management Training and the Good Nutrition for Healthy Children Project.

NOW, THEREFORE, BE RESOLVED that the Council in the City of Pittsburgh recognizes and commends the Executive Board of Directors, Board Members, Staff and Volunteers of Hunger Service Network for their dedication and commitment to meet the needs of the hungry throughout Allegheny County.

Also:

Bill No. 748

WHEREAS, Judith L. Marker has retired as Director of the East End Cooperative Ministries after over 12 years of service; and

WHEREAS, Judith Marker came to East End Cooperative Ministry in February, 1980 to help temporarily with the volunteer program. This assignment led into establishing children and youth programs and in the fall of 1982, when Sam Gibson resigned as Executive Director, Judy agreed to serve as interim for six months. In April, 1983, she was chosen to be the Director and has served at East End Cooperative Ministries ever since: and

WHEREAS, Judith was born and grew up in South Dakota. She attended Augustana College, graduated from the University of Minnesota, and taught for several years in South Dakota, Minnesota, and Illinois: and

WHEREAS, in addition to the demands of the East End Cooperative Ministries, Judy has served on the Steering Committee for the Homeless for Allegheny County; the Allegheny County Drug and Alcohol Council; the Board of the Interfaith Volunteer Caregivers; the Orr Compassionate Care Center and several other organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends Judith L. Marker for over 12 years of dedicated and committed service to the East End Cooperative Ministry.

Also;

Bill No. 749

WHEREAS, on Friday, June 21, 1996 the Allegheny County African-American Republican Council will host their First Annual Scholarship Recognition Dinner at the Fox Chapel Yacht Club; and

WHEREAS, the Allegheny County African-American Republican Council will present Mr. Johnny Butler, Secretary of Labor and Industry, as this years guest speaker; and

WHEREAS, for the first time a salute is being held to honor African-American Republicans who have made outstanding contributions to their community and to the Republican Party; and

WHEREAS, this year's honorees include: Attorney Wendell Freeland, Prominent Pittsburgh Attorney; Mrs. Vivian Mason Lane, Allegheny County Civil Service Commissioner; and Dr. Cortez G. Wade, 13th Ward Vice-Chair. A special

presentation will be given to the family of the late William P. Young, the first African-American Republican, Pennsylvania Secretary of Labor and Industry; and

WHEREAS, the first Annual Scholarship Dinner recognizes three outstanding students for their academic and community achievements. The students include Aaron D. Phinisee, Kelly C. Walker, and Allison M. McLean.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and congratulates the Allegheny County African-American Republican Council for their contributions to the community and to our youth.

Also;

Bill No. 750

WHEREAS, on Saturday, June 22, 1996, the Western Pennsylvania Diocese, Church of God In Christ, Incorporated, will host a tribute at the Hilton Hotel, Downtown, Pittsburgh; to Bishop Gordon E. Vaughn for 47 years of service,

WHEREAS, Bishop Vaughn was called to the ministry in 1939. He was ordained in Philadelphia, Pennsylvania in 1941 by the late Bishop O.T. Jones, Sr. Later, Bishop Charles H. Mason appointed him his assistant pastor of the Church of God In Christ; and

WHEREAS, upon becoming pastor, Bishop Vaughn has been actively involved in the work of the Lord, not only in the home church but throughout other communities as well; and

WHEREAS, Bishop Vaughn is the eldest Bishop within the Church of God in Christ. He is the last living Bishop that was ordained by founding Bishop Mason;

WHEREAS, Bishop Vaughn continues to be an asset to the Church and the Community, most recently by spearheading the construction of a newest temple located at 2502 Centre Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Council in the City of Pittsburgh commends and congratulates Bishop Gordon E. Vaughn for over 47 years of dedicated service to the Church and to the community.

MR. RICCIARDI moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

That concludes our read and adopted. If my colleagues are participating in the meeting, I suggest they get out here, because we have a procedural vote at some point that's gonna require 5 votes.

Moving to Unfinished Business or Reports of Special Committees. Hearing none now moving to Presentation of Papers. Calling on Councilman Cohen, Committee of Public Safety Services.

PRESENTATIONS

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

MR. COHEN PRESENTS:

No. 751 Resolution providing for a contract for the purchase of three livescan ten printers for the Identification Section, Bureau of Police, Department of Public Safety, at a cost not to exceed \$18,000.00, chargeable to Code Account CCIISP.

Which was read and referred to the Committee on Public Safety Services.

MR. COHEN moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

Also.

No. 752 Resolution authorizing the transfer of \$200,000.00 from Code Account 1443-4, Premium Pay, to Police In-Grade, Code Account 1443, for in-grade pay for police officers.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Councilman Cohen for Mr. Cusick, Committee on Parks Recreation Youth Policy.

Mr. Cohen:

No papers this morning Mr. President.

The Chair:

Thank you. Councilman Hertzberg, Committee on Lands, Buildings, and Procurement.

Mr. Hertzberg:

No new papers Mr. President.

The Chair:

Thank you Councilman Hertzberg.
Councilman Hertzberg for Councilwoman
McDonald, Committee on Housing
Economic Development and Promotion.

Mr. Hertzberg:

No new papers.

The Chair:

Thank you. Councilman Onorato for Mr. O'Connor, Committee on Engineering and Construction.

Mr. Operato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

COUNCILMAN ONORATO MESSENGER FOR COUNCILMAN O'CONNOR PRESENTS:

No. 753 Resolution providing for the issuance of a warrant in favor of Lanmark, Inc., in the amount of \$89,167.58, in payment of the marble cleaning and restoration in the City-County Building Lobby.

Which was read and referred to the Committee on Finance and Budget.

MR. O'CONNOR moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed

Also.

No. 754 Resolution adopting Official Sewage Facilities Plan for the South Side Riverfront Housing, located on Muriel Street between South Sixteenth Street and South Seventeenth Street in the 17th Ward of the City of Pittsburgh.

Which was read and referred to the Committee on Engineering and Construction.

The Chair:

Councilman Onorato, Committee on Planning. Zoning, and Land Use.

Mr. Onorato:

No new papers Mr. President.

The Chair:

Thank you Councilman Onorato.

Councilman Onorato for Mr. Ricciardi. Committee on Public Works, Water, and Environmental Services.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

COUNCILMAN ONORATO MESSENGER FOR COUNCILMAN RICCIARDI PRESENTS:

No. 755 Resolution granting unto Smokin' Joe's, Inc., 2001 East Carson Street, Pittsburgh, Pennsylvania, 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an exterior stair on a portion of the right-of-way on South Twentieth Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 756 Resolution granting unto Margaritaville Restaurant and Lounge, 2200-2202 East Carson Street, Pittsburgh, Pennsylvania, 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area at 2200-2202 East Carson Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 757 Resolution providing for an agreement or agreements with the University of Pittsburgh for the acceptance of Sennott Street between South Bouquet Street and Meyran Avenue in the 4th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 758 Resolution amending Section 1 of Resolution No. 730, approved September 29, 1995, effective October 2, 1995, entitled, "Granting unto the East End Food Co-Op, 7516 Meade Street, Pittsburgh, Pennsylvania, 15208, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the sidewalk area on Meade Street in the 13th Ward, 9th Council District of the City of Pittsburgh."

Also,

No. 759 Resolution granting unto Cafe Flora, 5904 Bryant Street, Pittsburgh, Pennsylvania, 15206, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Bryant Street in the 11th Ward, 7th Council District of the City of Pittsburgh.

Also.

No. 760 Resolution granting unto the Iron Butterfly Restaurant, Inc., 212 Sixth Street, Pittsburgh, Pennsylvania, 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a canopy over a portion of the right-of-way on 212 Sixth Street in the 2nd Ward, 6th Council District of the City of Pittsburgh. Also,

No. 761 Resolution granting unto Bruegger's Bagel Bakery, 26 Market Place, Pittsburgh, Pennsylvania, 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Market Place in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 762 Resolution providing for the issuance of a \$852.00 warrant in favor of Mildred L. Dovey in settlement of claim for sidewalk damage due to City tree roots.

Also,

No. 763 Resolution providing for the issuance of a \$1,525.00 warrant in favor of Mary Tracey in settlement of a claim for sidewalk damage as a result of City tree roots.

Also.

No. 764 Communication from Barbara M. Parees, Director, Department of Personnel and Civil Service, requesting approval for John Turyan, (a non-City employee) Chair, Pittsburgh Private Industry Council, to travel to Seattle, Washington, from August 8, to August 11, 1996, to attend the NAPIC Board of Directors Meeting, at a cost not to exceed \$1,125.00, chargeable to JTPA-1.

Which were severally read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED:

No. 765 Resolution providing for a warrant in favor of Lexis-Nexis in the amount of \$1,164.70 in payment for computer user research services for City Council, chargeable to and payable from CA 1001-1, Miscellaneous Services, Supplies and Equipment, City Council.---(SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also.

No. 766 Communication from Paul Hennigan, Director of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of March 31, 1996.

Which was read, received and filed.

Also,

No. 767 Petition from the residents of the City of Pittsburgh requesting that at least five/six benches from the circle areas of Friendship Park be redistributed on all sides of the park.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

MR. UDIN motion to receive and file.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Any other matter under Reports of Committees or unfinished business? Councilman Onorato.

Mr. Onorato:

I think it's an appropriate time to bring it up Mr. President. As you know, the Mayor just had a Press Conference regarding the Forbes Field II Task Force. I've asked that the Mayor and the Task Force Members be present at a post agenda, hopefully as early as next week. The Task Force Member, especially the Co-Chairman will be here, along with the consultants or the architects that were involved, to go over the process over the last 6 months and also

to here input from this body and to answer the questions that any colleague might have. So, between your office and mine, we'll coordinate a date next week and let everyone know when that will be.

The Chair:

Thank you Councilman. Again I had spoken to you privately, I do request, I would like to see a formal public hearing at some point on this issue.

Mr. Onorato:

Yes.

The Chair:

I respect the fact that we're having a post agenda meeting with some of the principles involved. But I think on a tactical level with the Administration, together with those who are proponents of a baseball only stadium, I think they've succeeded to some extent and waging and focusing the issue. Not so much on where, not so much on how we're going to pay for it, or whether or not we need a stadium. But I think they've diverted that more serious debate with this several month discussion on the location. To me, the issues not location, location, location. Because unfortunately that was decided several months ago by the Mayor and those who are financially involved in this deal. I don't think the issue is location, location, location, but do we need it and how are we going to pay it, do we need it and how we are gonna pay it. I would hope at some point through the course of Public Hearing that some of those other issues that are actually more fundamental than this location issue would be able to be discussed in an open forum.

Mr. Onorato:

Just on that point. I would avoid a public hearing following the post agenda. I do respectfully disagree on the issue of "do we need it". I think that question has been answered when we all approved the sale of the Pirates. I mean it was very clear in the agreement that funding had to be placed in three years and the stadium built in five. I think the question will be not do we have to build a stadium, the question is do we want to keep the Pirates or don't we? Major League Baseball made it very clear in that agreement. That a baseball stadium is part of the deal in the sale of the Pirates. We could still debate the merits of building a stadium, but what your really debating at that point is, the long term viability of the Pirates. If we want to keep them in the Region. I think that could be put on the table. If People don't think it's worth keeping them, I think that you debate that I would also point out that the Mayor's Task Force was only charged with finding location. The issue of funding, is still on hold because they're waiting for results of the Governor's Task Force. The Governor's Task Force could, who knows, it could say anything from 50% funding, 20% funding, or no funding for the stadium. At if at that point, I think we'll have a good idea if this is even a viable option, but, that's a big question mark at this point.

The Chair:

Yeah, so again, I agree with your comments just now. I think the issue is, in the issue of do we want a baseball only stadium. There was an important semicolon at the end of that sentence that went on, "Yes we do, however, we're not gonna pay for it out of the City bond" as far as operating budget or developing fund, but the

money would come from the State or Regional dedicated revenue source and the like. As that issue, I think substantially that needs to be debated and reviewed. Not this kind of separation of the issues. I think the proponents including the Mayor at wage the debate and it kind of diverted the more substantial debate of do we need it and how are we gonna pay for it. By locking everyone into this frivolous debate about location, knowing first hand and all well and good right from the beginning about where the location was going to be. We have a Post Gazette who in the hip pocket, not only editorially, but as a financial stake holder in the Pirates, who has swaved this debate even to the ridiculous point of this KQV kind of poll survey that they did regarding location. My point is this, at some point, there should be a public hearing and there should be a conglomeration of the issues. Not only the location, but do we actually need it? Is baseball gonna be viable long range in the city. What are some of the other opportunity dollars that are being converted to keep a baseball only stadium here? And, getting to the issue of who is going to pay for this dedicated revenue from the State and the like. And I would just hope at some point, not 2 minutes before the Mayor's Press Conference, like just what happened this morning, that at some point this council legislatively and the public will have some input.

Mr. Onorato:

Well, I'll debate this all day until I have the post agenda today.

The Chair:

And I know you agree with me on this.

Mr. Onorato:

I think it's very unfair. I'm not gonna be here to defend the Mayor, he can do that himself if he wants. That briefing this morning was the first time that the Mayor had a Press Conference that we were ever briefed at what he was gonna say. I asked Mr. Cox to come over here to at least inform my colleagues what the Mayor was gonna announce and that we'll get into the details over the discussion at the post agenda. Usually, we have a press conference and we find out afterwards, when the reporter sticks the mic in our face. At least there was a courtesy to let up know before the Press Conference on what the decision was. Now the cases that your bringing up is fine, but I have to appoind because your scaring the public and I think, as you pointed out right now, there are some stadiums under agreement and being built that very little if any public dollars. Francisco has 50 million dollars being paid out by Bell Pacific. Milwaukee has 24 million dollars coming in from the Miller Brewing Company for naming rights. There's a lot of ways to raise money that do nothing to a public sector. There might be a way to finance this thing, but we don't pay anything as the City. And I don't think that we should just have this narrow focus where we debate the issue and either kill it or accept it. We got to start thinking big in this region and I don't think it serves any purpose to try to scare people to say no to it, without putting all the options on the table and it might have an option where we don't use public dollars or very minimal public dollars.

The Chair:

My only point...

Mr. Onorato:

And I don't know why you're implying that this is diverting the issue. We haven't voted on anything. There's no public money allocated for this project. There is only a sight suggested by a task We could change that sight force. eventually, meaning the elected official of this region. But, there was a Task Force in place, they made a recommendation, and it was announced today. You have a Task Force right now over seeing the curfew. What happens if I would just say I don't care about your Task Force, I don't care what they say? I mean, that shows no respect for the process. You don't have to agree with the decision, but let's at least allow the process to end, and now it's our turn to debate the issue. I don't think it serves a good purpose on what your doing here today.

The Chair:

Again Council, my only point, respectfully back to you, is that. Your allowing me to come to a debate party, but your telling me ahead of time I can only debate one issue, the location.

Mr. Onorato:

I didn't say that.

The Chair:

I'm saying, the public and a lot of other interests in the City deserve and opportunity to discuss not only the location...

Mr. Onorato:

I can't sit here and listen to this. Your putting words in my mouth.

The Chair:

Well, I didn't interrupt you Mr. Onorato while you were speaking.

Mr. Onorato:

Well that's because I was telling the truth.

The Chair:

My only point is that the point is that the debate now needs to be broader than just the location.

Mr. Onorato:

Well, first of all, no one is saying that you only can debate one issue. And I know you, when we have this hearing, your not gonna debate the North Side. Your gonna debate whatever you want, and that's fine. That's the body that debates issues. Your gonna bring up the issue, should we even build it, and that will be on the table. So no debate is cut off here. The Task Force had a mission to pick a location, they did it. Do we have to accept it? No. But they had a mission, it's over. The Task Force's job is over. We have Task Force all the time. I don't understand why it's a big issue.

The Chair:

I'm making it clear that at some point, I would like to see an open public forum, where all of the issues including the more substantive issues about whether we need it and how it will be paid for. I hope, as you stated earlier, that if it is clear that it does not involve the operating budget and

bond funds and other opportunity dollars. If the state comes forward, or the private sector, obviously I applaud that kind of initiative. I would be very supportive of it. And, it's just my hope that at some point, those are the central issues that can take on the debate now, and not this issue of location, which to me has been a fraud from the beginning because it's been clear from the beginning of where the location was going to be. Any other discussion?

Mr. Onorato:

Yeah, you have 27 members sitting on this course. Half of these individuals are CEO's and Presidents of Corporations. Some live in the City, some don't. For you to say it was a fraud, I sat in there 6 months of meetings. There was about a 98% attendance at everyone of these meetings that we met. For you to call it a fraud is an insult to those 27 individuals. And, if they hear that in the media today, they're gonna wonder, is this body a bunch of wackos down here? Why would any of these individuals want to contribute to anything to this City, with that kind of a comment. They put their own time and volunteered time to sit on this Task Force. reviewed piles of paper, of data, of where parking would go, where the economic spin off would be and then you calling it a sham. I sat in the meetings and I could tell you. My choice was not the North Side. And, I can't wait to explain how we got to that point, because, I wanted downtown. I don't think it's fair that you say that to those 27 people that put their hard time and energy into this effort.

The Chair:

Thank you Councilman. Other discussion?

Hearing now moving to Reports of Committee, beginning with Committee on Finance and the Budget.

REPORTS OF COMMITTEES

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTS:

Bill No.714.

Report of Committee on Finance & Budget for June 19,1996 transmitting sundry resolutions to Council.

Which was read, received, and filed.

Also, with affirmative recommendation.

Resolution providing for the issuance of a \$967.28 warrant in favor of Gino A. Ciotola in settlement of claim for an accident involving a City Fire truck.

Bill No.715.

Resolution providing for the issuance of a \$1,792.91 warrant in favor of American Rent-A-Ride, c/o Michael Yurechko in settlement of claim for a City leased vehicle returned damaged.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Mr. Cusick

Mr. Hertzberg

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo

(Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Planning, Zoning, and Land Use. Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman.

COUNCILMAN ONORATO PRESENTS:

Bill No.392.

Report of Committee on Planning, Zoning, and Land Use for June 19,1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

A Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing from "R2" Two-Family Residence District and "M3" Light Industrial District to "R4" Multiple-Family Residence District all that certain property bounded by: Voskamp Street, Lot No. 313 Block 24-F in the Allegheny County Lot and Block System, the "S" Special District zoning district boundary lien east of Voskamp Street, and the "R4" zoning district boundary line north of Vinial Street, 24th Ward .-- (SPONSORED BY MR... ONORATO

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Mr. Cusick

Mr. Hertzberg

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo

(Pres't)

NOES:

AYES: 7 NOES: 0

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Parks Recreation and Youth Policy, Councilman Cusick.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Mr. Cusick.

MR. CUSICK PRESENTS:

Bill No.709.

Report of Committee on Parks, Recreation, and Youth Policy for June 19, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Resolution providing for a contract or contracts, or the use of existing contracts for various reconstruction and maintenance performed within the City Parks system in an amount not to exceed \$60,000.00, payable from the Park Reconstruction Program, Index Code 810234, Department of Parks and Recreation, and for payment thereof.

The Chair:

You've heard the reading entitled the bills. Is there any discussion? Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Mr. President, this is the bill that I've raised a question about because it never really reaches the amount of \$60,000.00. The reason for that is, and which is much needed is the parking lot at the Sheraden Senior Center. Let me just say, I'm very pleased about this amount. I did visit Ormsve, for example, several months ago and all gym floor are going to be getting refurbished or the ones that need to be. I really want to commend the Deputy Mayor of Operations because he's received several letters I think from all of us. It appears that they're really moving on the maintenance of some of our Recreational Centers, beginning with this dollar amount, and hopefully starting with Ormsve in the South Side. So, I'm looking forward to the spending of these dollars.

The Chair:

Thank you Councilman.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen

Mr. Cusick

Mr. Hertzberg

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferio

(Pres't)

NOES:

AYES: 7 NOES: 0

The Chair:

The bills having received the legally required number of votes have been approved finally. Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman Cohen.

Mr. Cohen:

I'll take the negative recommendation bill 136 first.

MR. COHEN PRESENTS:

Bill No.136.

Report of Committee on Public Safety Services for June 19, 1996 transmitting sundry resolutions to council.

Which was read, received and filed.

Also, with an affirmative recommendation.

An Ordinance supplementing the Pittsburgh Code. Title Ten - Building, Chapter 1007-BOCA National Building Code Adoption Section 513 - Historic Structures, Districts, Sites and Objects, Subsection 513.4 - Effects of Designation by adding Subsection 513.4.4 providing for compensation to Property Interest Owners who timely oppose

Historic Designation.---(SPONSORED BY MR. HERTZBERG)

The Chair:

You have heard the reading entitled the bill. Is there any discussion? Councilman Hertzberg.

Mr. Hertzberg:

Thank you. I'd like to have my comments from last Wednesday's meeting brought forward. As you may recall, with this Legislation getting a negative recommendation from the Board of Code Review. There's a 7 vote requirement. I think we only have 7 votes here. I know the vote at last Wednesday's meeting was 4 in favor, 1 against and 2 abstained. I know that there's no way that I have 7 votes here today, so at this point, I'm gonna make a motion to recommit the bill.

MR. ONORATO seconded the motion.

The Chair:

There is a motion to recommit and there's a second. Discussion on the recommittal? Councilman Cusick.

Mr. Cusick:

I will be in voting for the recommittal because I think I need more time in regards to this piece of legislation, so, I respect the motion.

The Chair:

Other discussion? Councilman Cohen.

Mr. Cohen:

I would like my comments brought forward from last week, please. I oppose this bill for the reasons I stated last Wednesday and for the reasons that I will be stating tomorrow.

The Chair:

Thank you Councilman. Obviously I don't support the bill. I expressed that concern at the public hearing. I hope to be able to have more discussion tomorrow. I wish there would be reconsideration and we would just kill the bill now. In sense of continuing the debate, because I know Councilman Onorato loves to have this debate with me. We'll discuss property rights in the like tomorrow. So, I do not object to recommitting it.

Any other discussion?

MR. COHEN moved to recommit the resolution.

MR. CUSICK seconded the motion. Which motion prevailed.

The Chair:

Thank you very much. Committee on Engineering and Construction. Councilman Onorato for Mr. O'Connor. And my apology to Mr. O'Connor and his family, I was away last week. I've only learned this morning of the passing of our colleagues Grandmom and our heart goes out to his family and we wish his family God's speed during this difficult time of the loss of a loved one.

COUNCILMAN ONORATO MESSENGER FOR COUNCILMAN O'CONNOR:

Bill No.710.

Report of Committee on Engineering and Construction for June 19, 1996 transmitting sundry resolutions to Council. Which was read received and filed.

Also, with an affirmative recommendation.

Resolution amending Resolution #765. effective October 18. 1995 entitled "Providing for a Contract or Contracts, or of existing Contracts for Rehabilitation of the Anderson Playground and providing for the purchase of equipment and materials for said project; and providing for the payment of the cost thereof," by increasing the total project allocation by \$103,500.00 from \$375,000.00 \$428,500.00.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cusick

Mr. Hertzberg

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo

(Pres't)

NOES:

AYES: 6 NOES: 0

The Chair:

The bill having received the legally required number of votes have been approved finally.

The Chair:

Which bill?

Speaker?

The last one....

The Chair:

That concludes our Reports of Committees under motions and resolutions. Other discussion?

Do you want to continue the Pirate debate or, no other debate? Again, I do want to continue to debate a little bit because I want to make it clear and I apologize for belaboring the point. I want to make it clear, my view on this thing. I have no objection to building a baseball only stadium and I hope that we have the resources to do it. However, those resources to me cannot come from the public sector. They must come from the private sector. I also object that we are using precious opportunity dollars from the State for this project as opposed to the expansion of the Convention Center. Now, if the Administration come up with a plan to do both and if our Government comes forward with Mr. Gigliotti and Senator Wagner and the other State Delegation from Pittsburgh, if they come forward and we can do both, that's great. But when it gets down to rug cutting time, I'm only offering my own personal view as Jim Ferlo, elected Council Member. And, I'm not speaking for the body. Councilman Onorato, I'm speaking for myself.

Mr. Onorato:

You said the Task Force was a hoax.

The Chair:

I'm speaking for myself. I just want to make it clear that when it comes down to rug cutting time, I would rather use those dollars for resolving the expansion of the Convention Center as opposed to "a baseball only stadium". I'm all for baseball only stadium if the private sector pays for it, we will build it. Let them pay for it, we will build it. So, I just want to make that clear. Any other discussion?

Mr. Onorato:

Үер.

The Chair:

Councilman Onorato.

Mr. Onorato:

I want to agree with you, because I've been stating it for six months that the City of Pittsburgh will not build a stadium. Meaning, the general fund will not build the stadium and I would not support the City of Pittsburgh building a stadium. I don't think we have to pick between the expansion of the Convention Center or a baseball only stadium. I believe we have to and we must do both. I believe it can be done, we got to start thinking big. The county has made it very clear they're not gonna participate in a baseball stadium, but I have not heard them say the same thing about an expansion of the Convention Center. Last time I checked, the

Convention Center fell under the preview of the Auditorium Authority which is a joint City and County Authority. That might be a golden opportunity to look at the County and ask for some help. And that the City work with the State, dealing directly with the ball park in the private sector. There's many different ways to skin a cat here today, and I believe the worse thing we could do is get into picking one project over the other. I personally think that both projects are needed for the Region. I don't think we should pick, I think we should just say we have to do both and come up with a way to do both. Because, you can build a nice Convention Center, any size you want. If you remove all the emanates from this town. well, you might as well open up the door and make it another homeless shelter and expand the Light of Life Mission from the North Side over to the Convention Center. Because, no one's gonna want to come to this City. I go to Cleveland for 2 reasons the last 2 years. Rock and Roll Hall of Fame and Jacob's Field. I didn't go to Cleveland to look at their big Convention Center and it is bigger than ours. So, what came first, the chicken or the egg? I think we need them both and let's hopefully this body does not get into a situation where we're voting on one over the other. Their both very important to the Region.

The Chair:

My point again is unfortunately I think it will be an issue of \$1.00 from the public sector, meaning the State, going to a baseball only stadium as opposed to filling a commitment to assist the City and the County with the Convention Center issue. And having been here for 9 years, we continually see tragic \$21.00 go to other projects. I wish that you were right, that it's not a situation where you have to pick.

Again, I want to make it clear, we're not just talking, my means to us is not only the issue of the public sector. The operating dollar budget, the City's Capital Bond Budget not going for the baseball only stadium. I'm also raising the concern about what public dollars are involved. What dedicated revenue sources are being generated for what revenue. Whether it be the State. whether it be multi County, whether it be changes in the amusement tax, dedicated revenue from Airport Head tax, whatever that fee is. That it's still money that could be going to resolve the Convention Center and, or other Economic Development issues. So, again, I think that's part of the character of the debate that should take place, and it shouldn't take place with all the high rollers in town, and the money interest behind the Pirates and the Steelers. It should be a debate that take's place on this Council and is broadened out to be a debate among the general public. That was the only spirit of my earlier comments and concerns.

Mr. Onorato:

Just one final note. If you read the listing of everybody on the committee, you will notice that there is a good cross section of the community too. Not just the business leaders and now it's time for Council to debate the issue.

The Chair:

Any other comments or discussion? Need a motion to adjourn and to approve the minutes. Thank you, this legislation session stands adjourned. Thank you very much.

ADDENDUM

 Councilman Hertzberg and Cohen's comments on Bill No. 136 can be found in the Standing Committees Meeting minutes of June 19, 1996.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, July 2, 1996

PRESENT:

Mr. Onorato
Mr. Cusick
Mr. Ricciardi
Mr. Hertzberg
Mr. Udin
Ms. McDonald
Mr. O'Connor
Mr. Ferlo (Pres't)

ABSENT:

Mr. Cohen

The Chair:

Would you all please rise for the pledge of allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world and peace in our neighborhoods.

We are very pleased this morning to have a young lady Tamika Young. She

is working in the Mayor's Office. She is a management intern. from Councilman Ricciardi's office.

Tamika Young:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Thank you Tamika we appreciate you coming over to council to lead us in the pledge of allegiance and our clerk would like to present you with the flag of our nation and the flag of our city. Thank you very much and try to have some fun this summer too, besides all the hard work over there.

PRESENTATIONS

The Chair:

We have a number of guests in the audience this morning and at this time I would like to call on Councilman Hertzberg.

Mr. Hertzberg:

We would like to honor Joe Rodgers. A long time Sheraden resident and a former city employee with the

Department of Parks and Recreation that ran our senior center for a long time.

Recently he has been a volunteer and done a great service for all the veterans of all the wars for our community, and the resolution reads:

No 472 WHEREAS, Joseph Rodgers is a World War II and Korean War Veteran and a present Commander of the American Legion Langley Post in the 20th Ward of Pittsburgh; and

WHEREAS, during Joe's many visits to the Hollywood Cemetery he realized how many veterans from different wars rested in this place; and

WHEREAS, through inspiration and his sincere desire to have all veterans who served in all wars acknowledged for their sacrifice of their country of the United States of America, Joe decided to erect a monument in their honor.

WHEREAS, Joe diligently sought funds required to implement this project, physically tended to the basic ground work and particular details needed, and personally recruited volunteers and other workers; and

WHEREAS, on Monday, May 27, 1996, a special dedication service was held to complete Joe's vision for the new War Veteran's Memorial at Hollywood Cemetery, accompanied by dignitaries, residents, and friends, and ending with the solemn 21-gun salute;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh and the Sheraden community would like to extend our thanks and congratulations to Joe Rodgers for a job

well done and dedication to the remembrance of all veterans of all wars.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion

Which motion prevailed

Mr. Hertzberg:

Thank you members of-council and that was an excellent ceremony. I am not sure if anyone from council attended, but there were certainly a number of other elected officials there. It was very well attended, it went very well, and it is a beautiful memorial, and Joe, would you like to say a few words?

Joe Rodgers:

All I have to say is to Allen Hertzberg. Thank you Allen and thank you City Council.

Mr. Ricciardi:

It should also be noted that Mr. Joe Rodgers was an outstanding City employee for many, many years and well respected at the Sheraden Center by many and all.

The Chair:

Thank you Mr. Rodgers for your hard work. Thank you very much. Councilman Onorato.

Mr. Onorato:

Can I have all the children from Horace Mann at this point come forward and the teachers, or the teacher who is with them, come on forward. Yes, come on up.

I can't believe you are this quiet, all these kids in this room. This is great. That's that Northside discipline, bring them forward.

As they are walking forward we have Ms. Jane Wall, the teacher from the Horace Mann program. Ms. Wall, is there any other teachers here I should recognize? O.K. You could

Colleagues, it gives me great pleasure to read this proclamation.

The Chair:

You can come closer for pictures too, I see a lot of cameras flashing out there. We are not gonna bite you, despite what you think.

Mr. Onorato:

We bite each other, but not you. Come on forward.

As they are positioned, I'm gonna read the proclamation and say a few words and we'll here from the teacher and hopefully some of the children.

MR. ONORATO PRESENTS:

No. 473 WHEREAS, on June 20, 1996, entertainer John Tesh appeared at the Coca-Cola Star Lake Amphitheater; and

WHEREAS, twenty students from Horace Mann Elementary School Chorus in Brighton Heights appeared with John Tesh to sing "Discovery" which is the title cut of his new compact disc; and WHEREAS, Tesh has been working with the National Coalition of Music Education to select elementary schools in every region he tours to symbolize the importance of supporting music education; and

WHEREAS, Horace Mann School will receive \$1 from every ticket sold at the concert to support the schools music program, and in addition, will receive a Yamaha keyboard and sheet music from the Cherry Lane Publishing;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the students of Horace Mann Elementary School on their participation in the John Tesh concert and the success of the music program.

MR. RICCIARDI moved to adopt the resolution.

MR. UDIN seconded the motion.

Mr. Onorato:

Can they do a little rendition for us today or are we not prepared for that?

Let's hear it, I think it would be great.

Very good, Very good. I thought this was an important proclamation. A lot of times we have the city schools in here with the athletic programs and the championship teams, but this was unique because we are dealing with the music program and dealing with the arts, and I think it is important to stress that there is a lot more to the public schools than just athletics. That is an important part,

because there's a lot of other areas that a lot of kids participate in and we want to make sure that this is one program that does not go unnoticed. It has some national recognition.

At this time I would like to have Ms. Wall come forward and say a few words and if there is anyone who wants to say something from the student body here, I'll be more than happy to hear from them.

Ms. Wall:

First, we would like to thank Councilman Onorato for this wonderful honor. Our students are very thrilled to be here today, as we were to sing in the John Tesh Concert. At Horace Mann we place a lot of pride in our music program and we're glad to share that with you this morning. The other thing that was so wonderful about this whole experience was the wonderful support from the community of Horace Mann and our parents as you can see here today, we have a good group of parents that have joined us and were with us throughout the entire thing helping at the concert as well. So we thank them too.

Mr. Onorato:

Thank you. I almost forgot, I do have a list here and I want to recognize them. I could read it real quickly here and if I pronounce the name wrong, please correct me. I have a Ms. Anderson here, is it Latonya? Latonya Anderson, Renee Ballard, Andrew Ginicki, Sarah, is it Kyler? Keiler, Sarah Keiler, Carmine Monroe, Daniel Monroe, Leo Piverotto, Harmony Shearer, Raymond, is it Seats, Sites, Raymond Sites, Jackie Smith, Monay Smith, Heidi Stunkert, Adrian

Wilcox, and this one is hand written, I have a Richardson. What is Richardson's first name? Kara, Kara Richardson and Jerome Bankston, Ryan Musha. Is there anyone I missed? Is there anyone would like to say anything to council at this point? Well we do want to thank you. Before we go, we're gonna get a picture here and I'll have you in the middle hold this for everybody. Why don't we all get pretty closer so that we can get with the photo.

At this time if councilman Udin will come forward too, co-sponsor of this resolution and Mr. Strickland if you would come forward please.

Colleagues, as Mr. Strickland comes forward here, I don't think he needs any special introductions, a lot of you know him or have heard of him over the years and what he has been doing in the Manchester Area. Councilman Udin and I wanted to give his proclamation because of an recent award that he received, probably one of many for the program. I'm just gonna read the award and we are gonna here from Councilman Udin and from Mr. Strickland.

MR. ONORATO PRESENTS:

No. 775. WHEREAS, Mr. William Strickland, a Manchester ceramic artist, and director of the Manchester Craftsmen's Guild and the Bidwell Training Center was granted a \$295,000 no strings attached award from the McArthur Foundation; and

WHEREAS, Mr. Strickland was one of 21 artists, teachers, writers, scientists and community leaders nationwide honored by the

Chicago-based John D. and Catherine T. McArthur Foundation; and

WHEREAS, Mr. Strickland was introduced to ceramic art at Oliver High School. He began teaching ceramic art to high school students in a North Side row house lent to him by Emmanuel Episcopal Church which eventually became the Manchester Craftsmen's Guild; and

WHEREAS, he also inherited the directorship of Bidwell Training Center which helps men and women enter or reenter the workforce; and

WHEREAS, Mr. Strickland has spent his life focused on programs that invest in the human spirit. He has taught youth who come to the Manchester Craftsmen's Guild to believe in themselves and to dream; and

WHEREAS, through art and a belief in the work ethic, Mr. Strickland motivates students to achieve.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Mr. William Strickland on his selection by the McArthur Foundation to be recognized and awarded a grant for his 25 years of work with youth in the Pittsburgh community.

MR. UDIN moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Onorato:

Before I turn this area councilman Udin and then we because m Mr. Strickland I just want to get Mr. Strickland a personal congratulations and thank you for all the help to the Northside youth. I think it's important because a lot of times you hear the rederick from the elected officials over the years of what could be done and what should be done. Mr. Strickland is living proof of what everyone's preaching should be done. He's doing it. He's doing exactly what has to be done in this country and I want to thank him because he's touching so many lives and giving so many kids hopes that otherwise might be lost in a situation that unfortunately should not be lost. So, thank you Mr. Strickland.

Mr. Udin:

Good Morning. I also want to join in with Councilman Onorato in this resolution to Bill Strickland. I think his contribution expands far beyond the boundaries of the Northside and even beyond the boundaries of Pittsburgh which is why I think he was given that tamius award. In addition to that you was a recall that when the First Lady visited Palsburgh of the Manchester Craftsman's Guild was the first location that she came to, to visit and to talk with citizens of Pittsburgh about their concerns because it represents a model for the kind of things that can be done. Yesterday in council we, at a post agenda meeting we were discussing programs targeting serious offender youth programs, are targeting gang interventions and Councilman Ricciardi raisco de question rightfully all of this attention and people who do things the wrong way and criminals. When are we going to acknowledge people who are doing things the right way and immediately I thought of the work that Bidwell and many other programs are doing. It is very difficult to prove what you prevented. That's always a difficult thing for prevention type programs to demonstrate their value but the children and adults who interact with the Bidwell training environment are living proof of and the successes that they achieve are living proof of what we can do when we focus not just on the kids in trouble but the kids who are doing well. like these great singers that we had here this morning. So I want to just join in thanking and welcoming Bill Strickland to council and wish you much success in the future as it has been in the past.

William Strickland:

Needless to say, I'm very excited about getting the McArthur Award. Which is subtitled the Genius Award. I have been telling the public since I was three years old that I was a genius, but nobody believed it, and now I have some public recognition of this fact. It also means a lot to me to get recognition from my City Council. In many respects I don't just view you as public officials but also my friends. I know each of you. I know your uniqueness and your special ideas and your vision and I, as much as you support me, I support you.

Once upon a time, I also was a public school student here in Pittsburgh and my life was quite literally transformed by a teacher who cared, at Oliver High School on the Northside where Councilman Onorato is from. So, I know personally an autobiographically what can happen to children when somebody really cares about them. I believe that we can change life as we are experiencing it in this community and have it make sense. I

think that the award probably recognizes more of my fervor and belief in that fact more than anything else. I am honored perhaps more than my Whitehouse visit to be standing in front of my peers and in front of young people from this community to receive this very special recognition and I'm very, very honored to be here today when the sun is shining. Thank you.

The Chair:

Thank you Councilman

MR. ONORATO PRESENTS:

No. 475 WHEREAS, on this Independence Day weekend, as communities gather to honor local veterans, the Apostolic Tabernacle Church recognizes those who have sacrificed so that as Americans we might be free; and

WHEREAS, at this time, through this patriotic service, we wish to show the sincerest appreciation to those who have served our country; and

WHEREAS, in this day and age, we often forget to acknowledge the courageous acts of our military veterans and the sacrifices they have made for their fellow man. The individuals who served in the military have given us the freedoms we have today; and

WHEREAS, at this time we express our gratitude to those individuals who have served us all well and who have kept America free; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, on this Independence Day

weekend, hereby recognizes and thanks our local Veterans for their courageous service to our Country.

MR. O'CONNOR moved to adopt the resolution.

MS. MCDONALD seconded the motion. Which motion prevailed.

The Chair:

Excuse me, Councilwoman McDonald. Thank you Councilman.

MS. MCDONALD PRESENTS:

No. 476 WHEREAS, June 28, through June 30, 1996, Black Entertainment Television, BET, will host their Third Annual "Celebrity All-Star Weekend" in Pittsburgh, Pennsylvania; and

WHEREAS, BET will host celebrities from the music, sports, and movie industry for a weekend of entertainment for the entire family to enjoy; and

WHEREAS, BET will sponsor several events during this All-Star Weekend including a Homecoming Awards Dinner, the Celebrity Softball Game, the Midnight Boatride and a Sunday Brunch; and

WHEREAS, Black Entertainment Television owns and operates BET Cable Network. BET is the nations first and only black-owned basic cable television network. The network was formed to meet the informational needs and interests of African-Americans; and

WHEREAS, a portion of all proceeds collected from the Ali-Star Weekend will benefit the Negro League Baseball Museum and the Roberto Clemente Jr.'s Returning Baseball to the Inner City Program (RBI).

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and commends Black Entertainment Television, BET, for bringing our community together for a weekend of entertainment for all residents to enjoy.

MR. HERTZBERG Moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. That concludes our read and adopted moving the presentation to papers. Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Mr. Hertzberg.

MR. HERTZBERG, MESSENGER FOR MR. COHEN PRESENTED:

No. 778 Resolution providing for a contract for the purchase of selfcontained breathing apparatus and related equipment and accessories for the Bureau of Fire, Department of Public Safety, at a cost not to exceed \$1,500,000.00, chargeable to Code Account 03-25-01-5000-96.

Also,

No. 779 Resolution amending Resolution No. 976, effective January 1, 1996, by increasing the Fire Fighting Equipment Line Item allocation by \$1,000,000.00, from \$500,000.00 to \$1,500,000.00, chargeable to 03-25-01-5000-96.

Which were read and referred to the Committee on Public Safety Services.

MR. HERTZBERG MESSENGER FOR MR. CUSICK PRESENTED:

No. 780 Resolution providing for an agreement or agreements with the Board of Education of the School District of Pittsburgh to install a disc golf course within Phillips Park, for the benefit of the residents of the City of Pittsburgh.

Also,

No. 781 Resolution providing for a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for the payment of supplies, equipment, materials, salaries and other services in connection with the Baseball Is Great (BIG) League in an amount not to exceed \$97,000.00, payable from Code Account 4-10-01-5008-96-10, BIG League, Department of Parks and Recreation.

Which were read and referred to the Committee on Parks and Recreation.

The Chair:

Do we need a motion to waive rule 8 on that in terms of the BIG league stuff.

O.K. Allrighty

Councilman Hertzberg committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

No new papers

The Chair:

Thank you councilman.

Councilwoman McDonald Committee on Housing, Economic, Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you councilwoman.

MS. MCDONALD PRESENTED:

No. 782 Resolution providing for transfer of \$963.00 from Code Account 1035-1 CHR Education and Training Code Account, to Code Account 1034-1, Premium Pay, Commission on Human Relations.

Which was read and referred to the Committee on Finance and Budget

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

Thank you Mr. President.

The Chair:

Thank you Mr. O'Connor.

MR. O'CONNOR PRESENTED:

No. 783 Resolution providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of \$1,647.91 in payment of emergency work to de-energize and restore electric service to the Public Safety Building; charging the same to Code Account 3-13-95-0001-96.

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 784 Resolution providing for an agreement or agreements, or use of existing agreements and/or a contract or contracts, or use of existing contracts, for the rehabilitation of various playgrounds, including, but not limited to, Riverview Park Playground and the reconstruction of the Riverview Centennial Shelter; and for the purchase of materials and equipment for said projects; and provide for the payment of the cost thereof, at a cost not to exceed \$398,000.00, chargeable to and payable from the RADPM Trust Fund.

Which was read and referred to the Committee on Engineering and Construction.

The Chair:

Committee on Planning, Zoning, and Land Use. Mr. O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Mr. O'Connor.

MR. O'CONNOR MESSENGER FOR MR. ONORATO PRESENTED:

No. 785 Resolution amending Resolution 336 of 1996 which provided for an agreement/s with community organizations operational/administrative expenses, purchase of equipment and minor rehab of neighborhood facilities. deleting by S.P.E.R.T. \$15,000.00 and adding Brighton Heights Citizens Federation \$15,000.00 and adding Three-Five Community Advocates (\$1,000.00).---(SPONSORED BY MR. ONORATO)

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Committee on Public Works, Water and Environmental Services. Thank you Mr. Onorato.

MR. ONORATO MESSENGER FOR MR. RICCIARDI PRESENTED:

No. 786 Resolution providing for a contract or contracts for the purchase of play equipment, safety surface, and related equipment/materials for the renovation of play areas at Cliffside Parklet and Marshal/California Parklet, not to exceed \$120,000.00, payable from Code Account 4-01-40-0054-96-515-96-01, Play Area Safety Improvements, Department of Public Works.

Also,

No. 787 Resolution providing for a contract or contracts, or the use of existing contracts for fence repairs, concrete repairs, asphalt repairs, greenway maintenance, the installation or repairs of picnic shelters, play area improvements and major repairs and emergencies at various parks and park facilities in CD areas throughout the City of Pittsburgh, at a cost not to exceed \$145,000.00 Dollars, chargeable to and payable from Code Account 4-01-40-0040-96-540-96-01, Index Code 618249, Parks Reconstruction Program, Department of Public Works.

Also.

No. 788 Resolution providing for a contract or contracts, or the use of existing contracts for the purchase of play equipment and play area safety improvements including the cost for supervision of the installation of the Pitt equipment for Fort School Playground, exceed cost not to

\$18,000.00) Dollars, chargeable to and payable from Code Account 4-01-40-0054-96-515-01, Index Code 618-264, Play Area Improvements, Department of Public Works.

Also,

No. 789 Resolution providing for a contract or contracts, or use of existing contracts for the purchase of play equipment and play area safety improvements at various parks and park facilities in CD areas throughout the City of Pittsburgh, at a cost not to exceed \$404,000.00 Dollars, chargeable to and payable from Code Account 4-01-40-0054-96-515-96-01, Index Code 618264, Play Area Improvements, Department of Public Works.

Also,

No. 790 Resolution granting unto Shari Kubitz, 1267 Duffield Street, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, a portable wheelchair lift on a portion of the right-of-way on Duffield Street, 10th Ward, 7th Council District.

Also,

No. 791 Resolution granting unto Arleen R. Wolf, 930 Lilac Street, an encroachment to construct, maintain and use at her own cost and expense, a fence on a portion of the right-of-way on Iola Way, 15th Ward, 5th Council District.

No. 792 Resolution granting unto The Pittsburgh Cultural Trust, 125 Seventh Street, an encroachment to construct, maintain and use at their own cost and expense, to place plaques on tree grates at various locations on a portion of the right-of-way along Penn Avenue, 2nd Ward, (Council District 6).

Also.

No. 793 Resolution granting unto Raymond Stewart, 343 Walde Street, an encroachment to construct, maintain and use at his own cost and expense, a parking pad on a portion of the right-of-way on Walde Street, 16th Ward, 3rd Council District.

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

The Chair:

Councilman Ricciardi for Mr. Udin, Committee on Finance and Budget.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Councilman.

COUNCILMAN RICCIARDI MESSENGER FOR MR. UDIN PRESENTED:

No. 794 Resolution providing for the issuance of a \$912.54 warrant in favor of Stephen J. Shanno in settlement of claim for an accident involving a City truck.

Also.

No.795 Resolution providing for the issuance of a \$1,500.00 warrant in favor of Ron and Linda Sacco in settlement of a claim for personal property damage due to sewer back-up.

Also,

No. 796 Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Also,

No. 797 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 798 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sale in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act" effective December 11, 1984.

Which was read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 799 Resolution amending Resolution No. 444/1996, entitled Further amending the 1992 Capital Budget, entitled: "Adopting and approving the 1992 through 1997 Capital Improvement Program, by adjusting various line items in conformance with City Council's 1992

Capital Budget amendments," by changing Boys and Girls Club/Smart Moves to read from \$10,000.00 to \$9,719.31, & Neighborfair Kids Watch from \$3,000.00 to \$1,448.85 adding a new line item East Liberty Supportive Housing, Inc. \$1,831.84. (SPONSORED BY MR. FERLO).

Bill No. 800

Resolution amending Resolution 445/1996, entitled Further amending the 1993 Capital Budget, entitled: "Adopting and approving the 1993 capital Budget and the 1993 Community Development Block Grant Program; and approving the 1993 1998 Capital Improvement through Program by adjusting various line items in conformance with City Council's 1993 Capital Budget amendments, by reducing 9th Ward Youth Association \$7,000 to 0 and changing Lawrenceville Citizens Council to read \$5,000.00 to \$4,463.75, and adding East Liberty Supportive Housing, Inc., in the amount of \$3,168.16 and increasing Golden Carriage, Inc. in the amount of \$4,368.00. (SPONSORED BY MR. FERLO).

Bill No. 801

Petition from the residents of the City of Pittsburgh requesting a public hearing in Council District #3 on Bill No. 397 - Civilian Police Review Board. (PRESENTED BY MR. FERLO).

Bill No. 802

Communication from Gregory F. Tutsock, Acting Executive Director, The Pittsburgh Water and Sewer Authority, submitting the Annual Report and Audit of the Authority for the 1995 calendar year, in accordance with the requirements of the Pennsylvania Municipality Authorities Act. (PRESENTED BY MR. FERLO).

The Chair:

Motion to receive and file in the latter resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

That concludes our presentation of papers moving to unfinished business or any matters to be brought up before the body regarding outstanding committees or unfinished business.

Mr. Onorato:

Mr. President, about I guess two months ago or a month ago maybe we revised a year old resolution regarding an audit of the section 8 landlords. We got the report last week. My office got the report from Mr. Hennigan and I talked with Mr. Low and the Mayor's Office. The report shows out of 3,400 section 8 voucher properties, these are not the project based, these are just the vouchers, there's 3,400 city wide. Approximately 5% had a problem with paying their taxes. In actual dollars and numbers what that works out to is. We had 183 delinquent properties that totaled \$547,000.00 in back taxes that they did not-that they owed as of Friday.

The Housing Authority, I am pleased to report, is going to be very aggressive in going after these individuals. They are gonna give a two week notice

Well it's not really a resolution but I do have comments at the end about this. Thank you.

The Chair:

O.K. Mr. O'Connor did you have a point on this or....

Mr. O'Connor:

One question for Mr. Onorato. Was that \$547,000.00 including school and county or just city taxes?

Mr. Oporato:

The city and the school that they owe.

Mr. O'Connor:

Combined city/school?

Mr. Onorato:

Yes, combined city/school.

Mr. O'Connor:

And we work with the County, I'm sure the same people with the County...

Mr. Onorato:

Actually County Controllers office Frank Lucino called my office yesterday and they asked for a copy of the report. They said they will do an instant cross reference with the list that we have and to make sure that if their outstanding there, their gonna go after them also. Yes.

Mr. O'Connor:

I'm sure a lot of these landlords own-live in the county. They may not live in the city, so, I think it would be good to have a joint effort in what you spear heading.

Mr. Onorato:

That's a good point. It should be pointed out that County Controller Frank Lucino had been very helpful and also putting the pressure on and making sure these landlords do what's right, and that's to pay their taxes.

The Chair:

It does raise the issue about our own finance department, what their doing regarding collection of income. I mean I keep hearing rumors from staff down there about the department being run a muck and not properly collecting revenues, whether it be rents, PGH earned income and parking surveying on collecting of the parking fees and I mean we may have to have a post agenda just on this issue of the Finance Department. Councilman Udin.

Mr. Udin:

Yes, I support the legislation, but I also think that we might look into the method by which or the extent to which the properties that are section 8 properties are monitored in terms of compliance with the health code and building codes in the city. Not only do sometimes landlords not pay their taxes, but sometimes they allow the properties to deteriorate. I don't want in the process of holding landlords accountable both for taxes and for compliance with the codes that the people who need these section 8 subsidy have to suffer because of the actions of their

landlords. I would hope that the methods that we take would take that into account and make sure that we are not throwing the baby out with the bath water, but the compliance issue I think is important. It requires monitoring and supervision and it requires an opportunity for people who live in Section 8 homes to be able to get support and redress when the landlords are not taking care of the property and keeping it up to code.

The Chair:

Thank you, thank you. I'm sure we'll have more discussion on this as the discussion continues. Any other matter?

REPORTS OF COMMITTEES

The Chair:

Committee on Finance and Budget, Councilman Udin.

Mr. Udin:

Mr. President

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTS:

Bill No. 803

Report of Committee on Finance and Budget for June 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation. Bill No. 726.

Resolution providing for the issuance of a warrant in favor of Premier Safety and Service, Inc. in the amount of Six Thousand Nine Hundred Fifty-Six Dollars (\$6,956.00) in payment for the purchase of two David Clark Apparatus Intercom Systems for the Bureau of Fire, Department of Public Safety.

Bill No. 728.

Resolution providing for the issuance of a warrant in favor of Maguire Group, Inc. in the amount of \$1,470.00 as final payment for the preparation of the City of Pittsburgh's Construction Standards and Specifications; and providing for the payment thereof.

Bill No. 732.

Resolution providing for the issuance of a \$2,970.00 warrant in favor of Ronald Iacovetti in settlement of a claim for sidewalk damage due to City tree roots.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg

Ms. McDonald

Mr. Onorato

Mr. Udin

Mr. Ricciardi

Mr. O'Connor

Mr. Ferlo (Pres't)

NOES:

AYES: 7 NOES: none

Bill No. 734.

Resolution providing for the conveyance of certain property in the First Ward of the City of Pittsburgh to the Public Parking Authority of Pittsburgh for the sum of \$1.00.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Hertzberg Ms. McDonald Mr. Onorato Mr. Udin

Mr. Ricciardi

NOES:

Mr. O'Connor Mr. Ferlo (Pres't)

AYES: 5 NOES: 2

Bill No. 753.

Resolution providing for the issuance of a warrant in favor of Landmark, Inc. in the amount of \$89,167.58 in payment of the marble cleaning and restoration in the City-County Building Lobby; and

providing for the payment of the cost thereof.

The bill stands ready for recommittal. Is there any other discussion?

All in favor of recommitting the bill.

AYES:

Mr. Cusick Mr. O'Connor
Mr. Ricciardi Mr. Hertzberg
Mr. Udin Ms. McDonald
Mr. Onorato Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

On Bill 753

Bill No. 765.

Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council, at a cost not to exceed \$1,164.70, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, City Council, Index Code 100115.---(SPONSORED BY MR. FERLO

AYES:

Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
Mr. Onorato (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

You have heard the reading entitled the various bills. Is there any discussion Councilman O'Connor?

Mr. O'Connor:

Yes, I will be voting no on 734 the parking lot issue we talked about last week. I met with the Parking Authority leaders. I think we agreed on the parking lot. I don't have a problem with it, I just question the financing. I would prefer it be a public private partnership where a private individual could come in and do the development part and spend their money in return have a longer term lease. We basically disagree on this for this project, but I've been told by the Parking Authority that they will be looking at this in the future and I think it's the way to go. For now I can't support it because I think the taxpayers-there's a question of were gonna run out of taxpayers dollars at some time and I think this is a good start. It should go-there's a golden opportunity for a private individual to do this work and I would prefer it done that way, but they disagree with it.

The Chair:

Other discussion on this bill or other bills? Just on this bill, I did not vote for this bill last week on the parking. I still would not vote for it. I think this is an excellent site. I think there should be a competitive bid issued. I'm now for enlarging the beauracacy of the Parking Authority for the sake of enlarging the Parking Authority. I think the Parking Authority should be used in a limited way

to help finance that associated with needed parking garages and or lots whether it be downtown or in the neighborhoods. don't think this site fits that category. I think it's an opportunity for the city to have a win, win, win with additional parking. At the same time win with additional income for making the property payable for taxes. Real estate taxes. mercantile taxes, etc. And again it's just a principle difference I have regarding this particular site. I think there are others that can run the parking lot better, more cost effectively and I think we would generate more income to the city by putting this out to a competitive bid situation. If we did a competitive bid, it was not satisfactory as far as what we would want to expect from the income based on the fair market value of the property in the like. propose that we maintain the site and use the Parking Authority. I have to respectfully vote no on Bill 734.

On Bill 753 there was a lot of debate. I did not vote on this bill. I realize ultimately legally we're probably gonna be responsible to pay this bill of \$89,000.00 but the memo actually raised a lot more questions. This involves the controversial payment of sub-contractor under the B contracts for the tile repair in the City County building lobby.

First of all, the work was known for a considerable length of time. I don't buy this argument that there was this emergency. The work, the situation has been known for quite some time about the condition of the tile. I find it interesting that Landmark, who has the B contract, which is a non union contractor. Mr. Director Reginald memo back to us reads like this big pro union document. Landmark's is a non union contractor that

keeps mentioning union rates and all that. It's a non union contractor outside the city and who did they hire? They hire a sub contractor that's the same company in their own offices called Modina. Now I don't know if Modina's union or non union because I tried to call them this morning and the President was out at a bid opening somewhere and I did not get an answer to my question, but it is clear under the B contract language. Every B contract in this city has explicit contract language that when a sub contractor is hired the fees paid or the rates paid to that sub contractor can not be greater than the initial contract that we have under the B contract. We had initial rates of \$16.00-\$24.00 with Landmark under the B contract. They hire their company which is in their same office at rates \$35.00-\$45.00 per hour supposedly to do this high technical skilled job, which is not that skilled anyway. This was not a big deal about the marble. They basically grouted it out and regrouted the marble. This commentary last week at the meeting about this highly skilled work, you would think they were cutting-they were working on the existing chapel cutting tiles, and hey, that's not the case. This was basically a roofing job all be it of ceiling tile. They grouted it out and repaired the grouting. I don't even think they removed any tiles and basically grouted it out and respackled the seams in between the tiles

And again, this memo raises more questions to me. I do not understand how we sit commended the contractual language that were obligated under the B contracts. The B contracts are explicit. If a B contractor won the bid, hires a sub contractor to do the work, they can not hire a sub contractor in excess of the amount that the city budgeted in the first

place. The fact that this company hired their own company in the same offices, to me, I can understand them. Modina company, the President of Landmark is also the representative for Modina. Which, I don't know if there's some shenanigans going on here or what the relationship is here. I really question - just one last point - it's one thing to pay \$35.00-\$45.00 per hour for rates. I would like to know what were the actual wage rates paid under that contract to those workers. One, and two, according to the Controllers Office our carpenter was working on this job being paid as the expert, not a marble person. The contract said that these were supposed to be marble experts. Well, why is a carpenter up there doing marble work if the reason why the higher rate is because you need this expert work? The whole thing doesn't make sense to me. I realize that we are gonna alternately have to pay the freight here because we're gonna be obligated legally, but I'm just clarifying why I'm voting no on the bill today.

Mr. Onorato:

Mr. President, you made a lot of accusations today that might be true and may not be true. When you say stuff like that, I'm not prepared now to have a final vote because you raise questions that I need answered and I'm not gonna vote for something that the media's gonna blast out there from your comments. I thought this was paying union wages. I thought it was paying for billing wages. Your telling me there's some kind of sleazy deal with the subcontractor. I don't know if that's true. I'm making a motion to recommit.

The Chair:

O.K. motion to recommit, but please don't characterize my commentaries now as accusations. I am characterizing my reservations about the payment of this bill and I'm characterizing the information I'm conveying. I haven't made an accusation against anybody, including the director.

Mr. O'Connor:

Maybe I heard it wrong then. Motion to recommit.

The Chair:

Motion to recommit for discussion. Mr. Udin.

Mr. Udin:

Yes, I support the motion to recommit. Number one, I have not been privy to the memo that you referred to from the Director. I was looking for it, but perhaps I didn't-I haven't seen it and my in box is empty so I don't know what happened to it. That's number one. Number two, I requested from the director an explanation of what made the-what constituted the emergency and did not receive to my knowledge an explanation. Unless, that's also included in that memorandum of the emergency that existed that justified the sub contracting. So, not only do I support to recommittal I also issue or repeat issuing the call to the Director to forward the information that was the basis of their decision that this constituted an emergency.

The Chair:

O.K., again, I don't know if Modina is a union outfit or non union. Either way though, I would like to

understand what the rates were that were paid. Why they are in excess of the initial rates that were under contract-under the B contract with Landmark and if higher rates were paid whether they were union or non union. Were they paid prevailing rate and is there actual wage documentation of those situations. Those are the- that's-I just wanted to clearly state my concerns and reservations about this. And we have a lot of B contract work going on in the Public Safety Building and around the City. It gets back to that old argument we had with Market Square in the like about what is maintenance and restoration versus a major contract under the states prevailing rate in excess of \$25,000.00. I suspect that this probably should have been bid out. I don't know what the rates would of been eventually maybe the bid would not of come in any less, but I have major reservations about the bill.

The bill stands ready for recommital. Is there any other discussion?

MR. HERTZBERG moved to recommit the bill.

MS. MCDONALD seconded the motion.

Which motion prevailed.

On bill 753.

Mr. Onorato:

Mr. President, on a different bill.

The Chair:

Another bill, Councilman Onorato.

Mr. Onorato:

Back on bill 734, it's the Parking Authority Bill. I wanted to state that I will be voting yes, but I do agree with some of the concerns that were raised about the issue of the private sector and we've been told over and over again by the administration that, not just this site, but many of the sites would be put out for an RFP to see what's actually out there to sell these garages. I hope that we see that and we see discussion going into the budget because I'm all in favor of having the private sector take over and run more efficiently if that's what they can produce based on the RFP's. So, my vote today is to get the parking garages up. In no way does that mean that I would not support the privatization of reselling of garages because I think they should be put on the real estate tax rules.

The Chair:

Just on that point, that's one of the reasons I feel so strongly about this bill. One of the reasons why you don't have private company's coming in to bid on the existing parking lots is the accumulated debt thanks to the Parking Authority and their operation in the light. Here we have a clean site that if there's gonna be construction, let it be done by the private sector as opposed to the more costly issues of capitol bonds from the Parking Authority. Once we take the site now and allow the Parking Authority to build a garage, we're never gonna get it privately owned and managed and operated. We're increasing the dynasty of the Parking Authority. But anyway, Councilman O'Connor.

Mr. O'Connor:

I think this is a golden opportunity for them to do the right thing now instead of later, so that's why I'm voting no and I wish my colleagues would reconsider.

Mr. Onorato:

Since your talking about we're gonna inflate it, we're gonna put debt on it, you can't sell it and they're the words you used Mr. President. I don't know how you can be so confident when without even having the RFP out there. Then we do do this, and we can do it later. The private sector would still have to come in and give us fair market value for that land. I'm not giving that land to any developer. The taxpayers for the city pay for that land and just because your gonna get a developer to come in, your not gonna give it away. We got to see what the market would bare, and you can either do that before hand or afterwards, either praviyour gonna get whatever the fair market of the site is with or without a garage. We're gonna find out if the market with bare or not.

The Chair:

My only point is that the Parking Authority is never gonna have a well or the desire to give up its operation and dynasty. It's never gonna happen. And once they build on it, their gonna change the whole dynamics of what the package is financially for that site.

Mr. O'Connor:

Well, this is a golden opportunity not to give it away, we're giving it away to the Parking Authority. If it's a business deal, we would keep the land and land lease it to a private operator who would go

in and do the improvements and we would just be the beneficiary of the rent and the So, this again is a golden taxes. opportunity to do it, but because the city wants-the Parking Authority wants-is in a time crunch, we're rushing things through, and I think that's a major problem in government. It's always we need it now. and we can't wait. All we ask for was the RFP to check if we're right or wrong. This would only take, I would imagine a couple weeks if they are really serious about going into a public private partnership. There's a much better way to do it then the so called privatization where we cost jobs and things like that. This is a golden opportunity I see to save the taxpayers money. If I'm wrong, you are the people to prove it

The Chair:

Councilwoman McDonald.

Ms. McDonald:

Thank you Councilman Finally. Hertzberg for his comments about waiting for my comments. I was out of town. But, being on the Parking Authority, we-the Parking Authority only actually owns and runs a couple of garages, everything else is privately managed. I think the issue here instead of so that we're very clear. Are we talking about owning the land? You want a private developer to come and own the land and run it or are you talking about simply running the operation? The reason the Parking Authority found it better to run a couple of the garages and is probably interested in running this particular lot is as a benefit to the taxpayers and to the consumers.

Yes, I would agree that if a developer came in and purchased that land and ran it, the city would get a little windfall, we would get some money, the Parking Authority would not be as bigger bureaucratically or whatever, but it would not benefit the consumer. And this is why I'm voting and this is what needs to be made known to all of the colleagues here at the table. This is to benefit the consumer.

The Parking Authority, every garage, every lot that they run has just about, I would say, almost 100%, virtually almost totally lower rates than any privately run garage or lot that is owned by somebody else. And I do have the figures because that was my first question when I was appointed to the Parking Authority is are we doing a better job, is it benefiting the consumer or is it benefiting the city and the Parking Authority? The numbers were very enlightening that the Parking Authority rates are absolutely lower. This is the reason that this particular set up or this proposal is going about in a fashion that's it's going about, is to benefit governmental employees who work at the iails, who work in those areas. benefits people that work in town. It's not gonna benefit the city. We're not gonna get a lot of money from a developer. So, I think you have to make a decision. Are you gonna benefit a developer or are you gonna benefit the people who actually park And my vote is to benefit the there? people that are going to actually park there. I agree with Councilman Ferlo. I don't want to see any authority, I don't care if I'm on it or not, be big. I wish we would shrink government. That's the name of the game, is to shrink a lot of these beauracracies and authorities. think we have too many commissions, too

many authorities. But, the bottom line is, regardless of how we go about things, our goal really should be to benefit the consumer, the taxpayer, the everyday guy and gal that's gonna have to come into town and work or shop or whatever. That is what the focus of the Parking Authority is, is to benefit the consumer.

We want people to come into town and not have their eyes pop out as soon as they find out what a half of an hour is gonna cost. And if that means it becomes more beauracratic, if that means that the city or the Parking Authority or whom ever, some governmental entity still owns the land, so be it. But I think we have to focus on the consumer and the parker. And this is what this proposals going to benefit. No, we're not gonna get any money from somebody buying it.

The Chair:

I'd like to discuss this in the next hour, but I don't think that's appropriate. Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I'll be voting affirmatively on this Bill No. 734 and I ask for my comments from last meeting to be brought forward.

All this talk about private operators kind of, to me, flies in the face, I mean saying that this is desirable and we should sell it and we should, you know, the private operators are-it's a golden opportunity, we're blowing it, but what happened to all the criticisms of the private operators that I've been hearing on this Council for the last two or three years and even before I started on council. You

know, criticisms that no one's paying their fair share of the taxes and we need enforcement, we need investigators because these people are all cheats. And legislation forgates automated gates requiring us to have automated gates so we can keep better track of the taxes that their not paying. Now we want to give this to them. I mean it-I have trouble reconciling that, but I gave my reasons in support of this at the last meeting.

The Chair:

Other discussion, Councilman O'Connor.

Mr. O'Connor:

Quick comment, and we probably all agree or disagree. The key point is, the taxpayers are putting two million dollars into renovating the lot. That's the part I could question where a private developer could put in the 2 million, rent the property, rent for 10 or 20 years and keep the cost I think in line. But the big question I have is and even if we want to do the 2 million, could the 2 million be spent somewhere else? You know, the wells gonna run dry someday this is maybe small potatoes in the city, but as we say a million here, a million there, all of a sudden we have some real money. So, this is-what my point was that I think it's time we start looking at other resources to where the private business or it can be a partnership where we introduce them to the bank once in a while and I think our banks like to do business, but i don't think it's gonna pass.

The Chair:

Again, at last shot, I think this Council needs to have more input on the

parking policy. It's one thing to help the downtown department stores merchants, which I'm all for. If we're gonna do that, than ask the Parking Authority to lower rates at parking areas closest to shopping areas and have short term lower rates. Enforce non city residents to come down here to park, to park in this lot and pay a higher rate. I mean this kind of all incompassing description about what the rates should be. It's a different situation depending on what the targeted group is. If somebody comes in from the North Hills and they work downtown and they're paying a lousy \$10.00 occupation tax. Yeah, I'd like to gouge them a little bit in their all day parking. If they don't like it, let them take the mass transit, take a ride on the Pat bus. I mean let's help the people that want to come downtown and shop, give them lower rates, closer locations to the department store area and make it shorter term parking. Enforce the others who are here all day working to pay in the longer term lots and pay at a lot like this.

The bills, having received the required number of votes, have been approved. The other bill stands recommitted until Wednesday session.

Committee on Public Works, Water, and Environmental Services, Mr. Ricciardi.

Any other discussion? Hearing none on roll call vote under Finance.

Committee on Public Works, Water, and Environmental Services, Mr. Ricciardi.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Councilman Ricciardi. Bill 753 is recommitted. Are there other information that colleagues request regarding 753 so that we can have the information here with Director Reginald. There's a question about the emergency nature of the work. If there's any additional information that colleagues like relative to Bill 753, if you could please communicate to Director Reginald prior to tomorrow will be helpful. Excuse me.

MR. RICCIARDI PRESENTS:

Bill No. 804

Report of Committee on Public Works, Water & Environmental Services for Jene 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 712.

Resolution granting unto Bittner
Distributors, 26th and Smallman Streets,
Pittsburgh, Pennsylvania 15222, their
successors and assigns, an encroachment
to construct, maintain and use at their own
cost and expense, a loading dock on a
portion of the right-of-way on Smallman
Street in the 2nd Ward, 6th Council
District of the City of Pittsburgh.

Bill No. 731.

Resolution granting unto Robert J. Lewis, 1344 Fifth Avenue, Pittsburgh, Pennsylvania 15219, his successors and assigns, an encroachment to construct, maintain and use at his own cost and

expense, a canopy over a portion of the right-of-way at 1318 Fifth Avenue in the 1st Ward, 6th Council District of the City of Pittsburgh.

Bill No. 755.

Resolution granting unto Smokin' Joe's Inc., 2001 East Carson Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an exterior stairs on a portion of the right-of-way on South Twentieth Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Bill No. 756.

Resolution granting unto Margaritaville Restaurant and Lounge, 2200-2202 East Carson Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area at 2200-2202 East Carson Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noew were taken agreeably to law, and were:

AYES:

Mr. Hertzberg Ms. McDonald Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo (Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Planning, Zoning, and Land Use. Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTS:

Bill No.805

Report of Committee on planning, Zoniag. and Land Use for June 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No.634.

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "R2" Two-Family Residence District to

"AP" Residential/Commercial Planned Unit Development District all that certain property bounded by: Sweetbriar Street, the southerly boundary of the "AP" zone located between Grandview Avenue and Well Street, and Lots 272, 274, 276 and 240 Block 6-L in the Allegheny County Lot and Block System, 19th Ward.

The Chair:

You've heard the reading entitled the Bills. Is there any discussion? Councilman Hertzberg.

Mr. Hertzberg:

Mr. President, on Bill No. 634 the rezoning on Sweetbriar in the Duquesne Heights neighborhood, also called the Mount Washington neighborhood. First, my comments from the last meeting brought forward. If you recall, because of the opposition of the requisite percentage of neighbors, however, we interpret our zoning ordinance on when opposition requires 7 votes. Mr. Brown seems to be the only one that knows the answer there, but he has given us the opinion that we're at the point where we need 7 votes to pass this rezoning. The number 1 complaint that I receive in this neighborhood is lack of parking and this rezoning is for the purpose of creating some parking for a neighborhood club. Our community organization, the Mount Washington Community Development Corporation is in full support of this rezoning. rezoning is to an AP planned unit residential commercial, which carries with it the ability of our planning commission to impose a number of requirements and in this case they are going to be imposing buffer zone requirements which were displayed at the public hearing that we had here on council, in which the CDC continues to work with an architect that has been hired by the developer and I'm confident that this will be done tastefully and will actually be a benefit to not only the club that wants to develop it, but the entire neighborhood. So, I support this and I hope that rest of council will agree.

The Chair:

Thank you Councilman. Councilman Ricciardi.

Mr. Ricciardi:

Thank you, I'm also in full support of this legislation for several reasons.

First. obviously, the Council member Hertzberg who represents the districts, supports it. From the public hearing, I got a good sense that the club was reaching out to the neighborhood both in terms of landscaping, getting the appropriate people such as the landscape architect to do the work, but also when I asked the questions where the 13 officers lived. They all lived in the mediate area. They all lived in Mount Washington, and also if you recall that when I did any of the minutes reflect an expansion of the building. There was never a discussion regarding expansion of the building. So, I believe the lot is for parking, not for any vision in the future to expand the use of the property, but just as important, if not more importantly, all 13 officers live in the mediate area. Thank you.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noew were taken aggregably to law, and were:

AYES:

Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr.Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: mone

The Chair:

The bill having received a legal required number of votes, including the 7 votes is approved finally.

Councilman Hertzberg.
Committee on Lands, Buildings, and
Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Mr. Hertzberg.

MR. HERTZBERG PRESENTS:

Bill No. 806

Report of Committee on Lands, Buildings and Promotion for June 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 711.

Resolution authorizing and directing the Director of the Department of General Services to prepare and send out an RFP for companies to assess the City's potential to lease rooftops and other parts of City owned buildings for telecommunication services and to coordinate these efforts with all of the City's Authorities.— (AS AMENDED)—(SPONSORED BY MR. ONORATO)

The Chair:

You've heard the reading entitled of the bill. Is there any discussion? Councilman Onorato.

Mr. Onorato:

The last two amendments, I apologize. One of them is not in writing and I'm gonna ask to waive the rules. But first, if you look at page 2 of your package, you'll see the amendment underlined and it reads as follows: "The details of the RFP's will be presented as City Council prior to being mailed out and the results of the RFP's will be presented as City Council. After City Council reviews the RFP's the Director of General Services shall seek a competitive bid." This relates to the communication towers and the possibility of generating some revenue based on city owned buildings and properties. So, I'd first like to make a motion and then the underlined portion. Motion to amend.

MR. CUSICK moved to amend the motion

MR. O'CONNOR Seconded the motion.

Which motion prevailed.

The Chair:

Again, could you just clarify? Did you read something different then what we have here underlined?

Mr. Onorato:

No, I just read it. I just put it on the table. I'm gonna add something else after this.

The Chair:

All in favor?

Council:

Aye.

The Chair:

I believe we carried that over from in the bill from Wednesday.

Mr. Onorato:

I know but there was two- there was a comment from you at the end of the discussion that I said I'd have in writing. So, we just cleaned up the language. I also would like to waive the rules of Council so that I can make a simple one word amendment and that's on the first page under section one where it says, "The rooftops or other parts of City owned buildings" I want to add the words "and properties", city properties, because it's not just the buildings, it's anything the City owns. It could be land. So we want to add the word "city owned buildings and properties."

The Chair:

Motion to suspend the rules move to second. All in favor.

Aye

Motion on the amendment. All in favor.

Aye

Expedited version. O.K. On the Bill itself, any other discussion?

Mr. Onorato:

Comments brought forward, once again I think this is a nice opportunity for us to see what is actually out there. The RFP's will be coming to City Council both before and after they're sent out. We'll have an opportunity to review them. At that point we can at least control the process before anything goes out for a competitive bid.

The Chair:

Any other discussion?

I'm gonna vote in favor of the bill even though I have two reservations. I'm gonna vote in favor because it least proceeds against the Director to consider and RFP process and it will come back to us for further debate and discussion.

The two reservations I have, I'm still not convinced that a competitive bid is necessary for the appropriate act. If it were clear that it was apples, apples, apples we could put a competitive bid out. Given the nature of the work to be performed in terms of communication

towers in the like, and given what we try to extract out of the interested developer or the company doing the work. wondering whether or not that should be purely competitive as opposed to a negotiated situation where people compete, but it be done along the lines of professional services contract as opposed to just a purely, pure and simple competitive bid. It would be one thing if it was something that one could clearly define and all the interested parties could clearly compete on a level playing field. That's the one reservation I have, but maybe after the RFP is better defined it would be clearer to debate that.

Secondly, If we are gonna allow any towers I feel very strongly that it should not be soul source towers where only one particular company is engaged in activity on that tower. We should require-I feel we must require that a percentage of that tower occupy multi-use vendors, so that there be excess capacity on a particular tower. Otherwise, we're gonna tend to increase the peliferation of communication towers as opposed, to once a tower is up requiring several different vendors of communications interest to be on that tower. That's one of the issues that's in the zoning bills that we're now debating in front of the commission, but I would hope that would be the issue of excess capacity would be one of the issues that's defined in the RFP.

Mr. Onorato:

Those two points, I agree with you Councilman President Ferlo in that once the RFP's are presented to use, if we decide that somebody comes up with the very creative scheme of how to utilize our buildings, I'd be more than happy to

amend the legislation or move the competitive bid and reward to a particular individual or company that show's initiative to be creative. I have no problem with that

The other issue, I want to make it clear so that people listening that this is not a tower bill. Actually if this works like it has in other cities it will actually limit the number of towers. Because what this bill does is utilize city buildings, in addition to property, city buildings and structures where the antennae's would go on the roof of the building and you wouldn't have to build, it would minimize the need for the towers. So, hopefully what this does is create an environment where the pressure for towers would be decreased and that we would actually have less being built in the city instead of more.

And the issue about the tower and the excess capacity, I agree with. But, that's sort of a side issue. I think maybe we can also limit the number of towers actually built because of this building.

The Chair:

Thank you very around And again this bill does now conclude, that whatever construction would take prace would have to be in mind with whatever their relative zoning requirements are at the time. This being the public sector building, doesn't circumvent the, whatever the prevailing zoning laws are that hopefully will be implemented in some point.

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr.Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo (Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill, having received the legally required number of votes, has been approved finally. Committee on Public Safety Services.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Mr. Cusick.

MR. CUSICK MESSENGER FOR MR. COHEN:

Bill No. 807

Report of Committee on Finance for June 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No.136.

An Ordinance supplementing the Pittsburgh Code, Title Ten - Building,

Chapter 1007-BOCA National Building Code Adoption Section 513 - Historic Structures, Districts, Sites and Objects, Subsection 513.4 - Effects of Designation by adding Subsection 513.4.4 providing for compensation to Property Interest Owners who timely oppose Historic Designation.---(SPONSORED BY MR. ONORATO)

Bill No. 727.

Resolution providing for an Agreement or Agreements with a consultant or consultants for professional training services at a cost not to exceed Twenty Thousand Dollars (\$20,000.00) and providing for the payment of the cost thereof.

Bill No. 751.

Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or agreements for the purchase of three livescan ten printers for the Identification Section, Bureau of Police, Department of Public Safety and providing for the payment thereof.

The Chair:

You have heard the reading entitled the bill. Is there any discussion? Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President.

On bill number 136, I first ask for my comments to be brought forward. Bill number 136, we had a lot of discussion. We've had a public hearing on this bill. What the bill says is that if the Pittsburgh historic view commission is going to designate a property historic and an owner has made their opposition known to that, City Council, nevertheless, designates the property as historic anyway. Then if the owner can prove that there's been a loss in market value from the historic designation, the City of Pittsburgh under the eminent main code, would compensate that person.

The legislation was introduced February 13th of this year. March the 1st, at the request of the Historic Review Commission and some of the people affiliated and supportive of it, I hosted an informal meeting between them and between the proponents and supporters of this legislation, which initially was the Realtors Association of Metropolitan Pittsburgh. I was hopeful that I could get everybody in the same room. hammer out a compromise. That didn't happen. It turned into more of a dog fight. Commission Historic Review supporters and advocates took to position that there was no problem with the historic review legislation. That there is no loss in value when there's a historic designation. No problems, and they were rather adamant in their position, and that's kind of one of the reasons we got nowhere. I think the other side is just adamant in opposing it.

Later, I was able to get a copy of this report done by Clarion in October of 1991 for our City Planning Department then which indicates a number of different features of our Historic Designation Legislation that this consultant that was paid some serious money identified. Also during that meeting, I was told by the Historic Review Commission advocates that Eddy Goldston, who is a property

developer, real estate broker with properties throughout the city, including one in South Side of Pittsburgh in a historic district had been converted. He had been an opponent, now he was converted that this was right. Well, we had Mr. Goldston and a number of other people, whose testimony I'll summarize, testify here, but Mr. Goldston actually submitted a writing saying that he absolutely opposed historic designations, based on his own personal experience, which I think he described with his Rite Aid on East Carson Street.

Following that, the board of code review had the hearing that their required to have. This is under the Historic Review Legislation, it's under our building code, so there's a requirement that the Board of Code Review, review the legislation and make a recommendation to us without personal invitation to the author of the legislation as I think I've mentioned before, I went through their legal notice type of requirements that meet with the legal requirements for their meetings. I found out the day before. I was unable to attend with that short of notice. people in opposition to this legislation, ten were able to attend and speak out in opposition. Actually zero supporters were before the Board of Code Review. The Board of Code Review then negatively recommended this bill to us and that carries with it now a requirement that 7 members of City Council would have to vote affirmatively in order for this to become law.

June 11th, we held a public hearing. There were, I think, very good speakers on both sides of the bill. It was one of the more intellectually stimulating, at least I felt, public hearings that we've

had. In support of the legislation, speakers included Tom Mistik who's a say developer, whose developed over 400 sites that are nationally designated historic. Among other things, he said that he thought our current legislation is a disservice to the preservationists that prefer historic preservation because of the technique it uses with those that don't want it. It says to them, If you don't go along with us, we're gonna make you go along with us. We're gonna do what we want.

We had Mr. Steve Knat, a property owner in the Penn-Liberty Historic District to describe needing new windows on a building on Penn Avenue, original price quote of \$9,000.00. Then to comply with the Historic District the price went to \$60,000.00. He thought it's about time to sell. I don't know that I want to be here anyway. Trying to sell the property he had a difficult time. Some of the purchasers cooled off when they found out of the historic designation. The one that he got ended up offering less than had been paid for the property when it was purchased—at 20 years earlier.

Roy Englebreck, Allegheny West Historic District resident and business owner, testified his recollection of that particular designation of that district. Although his mind at least, and there was some dispute from another person, but in his mind, the majority of the people in that district had opposed that designation. Nonetheless it was designated.

Lance Schaffer, Executive Director of the Pittsburgh Chamber of Commerce testified that he viewed our legislation as having many problems. He said that it's been used to delay and derail economic development projects.

Robert Gellman was at the Public Hearing. He's been an appraiser for the last 30 years. He's very well known, very well respected in the City of Pittsburgh and in all of Western Pennsylvania. He confirmed professionally that there can be losses in value with a historic designation.

John Petrack, the current President ofRealtors Association the Metropolitan Pittsburgh. A native of the City of Pittsburgh, a long time City resident and a city business owner said that he thinks more often than not a historic designation does increase the value of the property, but there are cases where the opposite affect the result. And just because it doesn't happen every time. he believed, as I believed, that fairness, justice equity demand that when that particular problem arises, we do something about it.

Recently, I don't know when everybody received the law departments opinion or if you've had a chance to review it. This was yesterday afternoon received by our clerk. There were no surprises in there to me. departments opinion said yes to this legislation represents an expansion from the existing law on eminent domain or takings. Basically, I thought, said the same thing. I've been saying that we've had court battles, court decisions on exactly what kind of regulations end up being a taking. Those disputes are gonna go on and on. There's not always a bright line as to when a regulation of a property right, results in a taking. Of course, if we enact this legislation, we have stated that at least in the City of Pittsburgh, when there's a loss in value, there will be a taking.

The opinion also dealt with the criticism that next thing you know, when properties are rezoned, people are gonna be wanting compensation. The bill specifically limits itself. A bill does not talk about compensation for rezoning. It's very specific. It talks about historic preservation and there is a difference. I've said it before, I'll say it again. Zoning's about what we need to do primarily uses of property that are needed to keep the public order. That's something as necessary as Police Officers. Historic Preservation, although, I support it, I like preservation, I prefer restoration. The fact of the matter is that's exactly what it is. It's a preference. It's not required, it's not needed for public order, as zoning is. The opinion finally goes through kind of the procedure of how things would work. If you've met all the requirements that being the owner opposed it, and we enacted it, nonetheless, as a historic designation, and then the owner was able to prove a loss in value. You can see that it could cost some money. would not deny that, I don't know that that's in reality what would happen if we passed this legislation. I think the reality of it is that if a property was identified as being that historically supplicant, that we would find a way to tund whatever is necessary to do this. And that by the time it reached City Council, those decisions would be made. The source would be identified in the amount potentially would be identified to do this. Because what this amounts to is that we are asking the owner of a property over their objection to make the outside of their building basically a museum piece for the rest of the public to view and to retain in it's position.

Again, one of the statements that was made over and over again, is that there is no problem, these properties usually don't go down in value. If that be the case, then we're not gonna have very many of these situations. We have some costs now, we had a number of court battles over this. There's one on going now that's costing us Council fee. Whatever we do in government, whether we take no action, whether we do take action, one's thing for sure. We end up in court either way. We're in court now and we may be in court in the future. I'm not gonna deny that. I don't know that it has anything to do with whether we do things or don't do things, I think unfortunately that's the nature of our positions.

If remember at last you Wednesday's meetings Mr. Spector did say that if it is the will of Council that there is to be some compensation in these cases that this legislation did it properly. That is it refers it to the practices and procedures of the eminent domain code. That's the way to do it. If you read the opinion, he notes that there's a due process hearing before a board of viewers and even an appeal to a jury. It's fair, and that's what we need to put in place. We need to have a fair process in place for those few people that are stuck in this situation and I ask for your vote in support of this fairness. Thank you.

The Chair:

Thank you Councilman. Other discussion?

I'm not gonna repeat comments. I've spoken three times in my opposition to this bill. I would ask my colleagues to

please give consideration to the legal memo that we received yesterday.

Other discussion? Councilman Udin.

Mr. Udin:

Yes. This is a very difficult vote for me. Because for me, there are compelling issues on both sides of the argument. On the one hand, I'm swayed by the fairness principle that it just seems to make common sense to me that people who can, who opposed their property being designated as historic and can prove some loss. It just seems fair to me that they should be compensated.

On the other hand I think the interpretations of the solicitors office that I read were also compelling and most compelling in the solicitors comments have to do with the expense of the appraisal process and the cost to the city that will result frankly whether or not it's determined that the property goes up or down in value. Because the appraisal process has to be put in motion to determine the loss, or whether there is a loss.

One other thing that is not clear to me, is the impact of on appraisal cost and on other issues when we're looking at large historic districts. The costs associated both with the opposition in compensation and with the appraisal can be substantial it seems to me. Very few of the historic designations are just individual properties. Many, most of the buildings that are historically designated are a part of the historically designated district, and so it's unclear to me what happens if some of the members within that district oppose

designation and claim a loss, what liability then accrues to the city for arguing the case at all the levels of appeal and bringing in the experts and bringing in the assessment and appraisal people of giving the city's financial condition. It's difficult for me to support a bill that has such unknown financial risk involved in it. If the bill were to be reconsidered and reworked and those difficulties worked out. I might be more inclined to support it, but without that, I'm unable to incur an unknown level of debt that might result from this legislation.

The Chair:

Thank you Councilman.

Is there any discussion on the bill?

And on the question, 'Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo (Pres't)

NOES:

AYES: 8 NOES: none

On bill 136

AYES:

Mr. Cusick Mr. Hertzberg Ms. McDonald Mr. O'Connor Mr. Onorato

NOES:

Mr. Ricciardi

Mr. Udin

Mr. Ferlo (Pres't)

AYES: 5 NOES: 3

The Chair:

Bill 136 is defeated. Committee on Engineering and Construction. The remaining bills were approved. Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

I want to interrupt a fittle bit. I think there's clear division in the house on this bill, while legally it did not receive the 7 votes needed and obviously did not legally pass and will not pass.

I sense in my lobbying and discussion that Councilman Hertzberg has successfully argued a number of concerns regarding this basic issue of jairness as it relates to the existing ordinance on historic designation. It is hard for me to overlook that because I think he's raised legitimate concerns about the due process notification as well. I think there are some serious issues here involving the individual designation process by the Commission, by the Planning Commission in this Council as it relates to singular pieces of property that we designate versus the large number of buildings and properties that go to the more elaborate historic designations similar to Allegheny West or the Oakland Civic District.

I think this Council, as we missed, myself included, we've been through two Mayors recently. We spent a considerable amount of money in the Clarion study. Which was to revamp and review the whole Historic District Ordinance. Unfortunately like a lot good consultant fees that we pay. We did not go back and necessarily review what those recommendations were. Ostensibly, we did not do that because the previous Director of Planning and the new Director, when she first took office, indicated to this body, at least to me, that pending a decision by the Pennsylvania Supreme Court in a noted law suit involving historic designation that until there was a resolution on that, the Administration was hesitant to forward and open up the discussion.

I think in light of the division of the house on this bill regarding the designation, I think we really need to go back to square one on the whole issue of the historic designation process. Accordingly, if there is not an objection, I would like to suggest and 8 member special committee chaired by Mr. Onorato who does serve as Zoning Planning and Land Use if he agrees. I would like to suggest that Mr. Onorato and Councilman Hertzberg to have Mr. Desantas chair of the HRC. That Mr. Spector and whoever the appropriate is from the law department on this issue. The legal aspects, I would like to serve on that as President Council and I would like to suggest that we ask for one representative from a preservation advocacy group and one representative from the board of Realtors or an appropriate group, and that 8 member body be given the task to review the Clarion document and appropriate information and come back to this body with some recommendations. Not limited necessarily just to do process or to this designation, but basically to go back and kind of fundamentally review both the Clarion document framed around Councilman Hertzberg's criticisms of the I'd like to suggest that that be actually a working committee that do their work over the next two months. That this not be a long drawn out thing that we do it. we meet down and dirty, come back with and agreement and we come back with some kind of concensus.

I'd like to suggest that we do that by way of this committee and that the appropriate resolutions that need to be drafted to make any code changes be considered by this group. I like to offer that as a friendly suggestion to move this discussion ahead and as my capacity as President Council to appoint special committees. I'd like to ask Councilman Onorato to chair that given his positions chair of Planning and Zoning Land Use so ordered. Excuse me. Committee on Engineering and Construction.

MR. O'CONNOR PRESENTED:

Bill No. 808

Report of Committee on Engineering & Construction for June 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No.729.

Resolution further amending Resolution #976, effective January 1, 1996, as amended entitled "Adopting and

Approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program" by increasing the Federal North Redevelopment Project line item allocation \$300,000.00 bv from \$800,000.00 to \$1,100,000.00.

Bill No. 730.

Resolution amending Resolution #86. effective March 13, 1996. entitled "Providing for an Agreement Agreements, use of existing or Agreements and/or a Contract Contracts, or use of existing Contracts for the Design and Construction of the Relocation of Zone 1 Police Station and for the purchase of materials and equipment for said project; and providing for the payment of the cost thereof," by increasing the total project allocation by \$300,000.00 from \$800,000.00 \$1,100,000.00.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?'

The ayes and noew were taken agreeably to law, and were:

AYES:

Mr. Cusick

Mr. Hertzberg

Ms. McDonald

Mr. Onorato

Mr. Ferlo (Pres't)

NOES:

Mr. O'Connor

AVES: 5 NOES 1

The Chair:

The bills having received the legal required number of votes have been approved finally. That concludes our formal agendas under motions and resolutions. Any matters be brought before the body. Councilwoman McDonald.

Ms. McDonald:

Yes, concerning the legislation in which we're trying to get section 8 landlords to anti up on taxes that are overdue. I just wanted to state for the record, I do take exception though to the Post Gazette article on July 1, 1996. In which, out of probably, I don't know Councilman Onorato would probably have a more exact figure of how many landlords have actually been by record, found delinguent. The only ones that are mentioned happen to be African American in the entire article. And I question how many people are delinquent or how many entities are delinquent with their taxes that are section 8 landlords. Two of which are sighted in the Homewood-Brushton area. One of which is sighted on the Hill. But, nonetheless, all specific names that have been mentioned in this article have been African American. I am very offended by the imbalance that is generated in this article knowing full well that there is quite a diversity of section 8 landlords. I just wanted to ask Councilman Onorato was he aware of this article and what could have precipitated such an imbalance in reporting of these facts that the only names

are African American, two in Homewood, one on the Hill.

Mr. Onorato:

Well, I could tell you councilwoman that I gave

The Chair:

None of us are privileged to the report nor necessarily the news article.

Mr. Onorato:

Pardon me.

The Chair:

Not all of us are necessarily privileged to the report nor necessarily the news article.

Mr. Onorato:

Yeah, I have copies for everyone today. But the copy of the report went to Mr. John Bull who did the article and it lists every single, and I'll give it, this is what he had, the list of every single landlord delinquent. To ask me why he picked and chose which ones, I can't answer that. But, as you can see, he had a list of 139 landlords in front of him for the article.

Ms. McDonald:

Thank you Mr. Onorato. Will you be making copies of this for.

Mr. Onorato:

That's yours.

Ms. McDonald:

Thank you. Yeah, I figured that there was just a general list, but I just want to register that when we do have a report of such an important piece of legislation and the aftermath in terms of how many people really are delinquent. I would hope that the media would have some sense of fairness and balance in reporting the facts. That it is not that just to mention that all African Americans in two neighborhoods is a terrible disservice and its an injustice and it's an insult to my community, to I'm sure, the Hill District and I'll let Councilman Udin who represents that area speak for himself on that one. consider it an injustice and an insult to send a message that it's just African Americans that are delinquent. So, again I appreciate the tab of all of the delinquent landlords. I do support that people anti up. I'm with the spirit of that that we can no longer make excuses but at the same time, I would urge fair reporting.

The Chair:

Councilman Onorato.

Mr. Onorato:

On that point, I have to agree with Councilwoman McDonald in that probably the vast majority of people listening on here are white landlords and I want to make it very clear. I want to hold every single person on this list accountable equally and they should all pay up in full. Why they weren't all listed, I don't know, but if it was up to me, I'd list everyone of their names in the paper. I'd list them every week too, until they would pay up in full. Because what it does, it's not just the few that were mentioned in the paper, but, if these are irresponsible landlords and as you can tell, there's 3400 of them in the

city. It has a rippling affect throughout the neighborhood through a problem property. And that really affects all of our neighborhoods, blacks and white. And regardless of who the landlord is, I think that they should be held accountable and I think their names should be exposed and I think they should all be exposed. Because they're using public dollars to reach a huge profit at the expense of everyone of us sitting here at this table and I think that's a disgrace.

The Chair:

Thank you, other discussion? Councilman Cusick.

Mr. Cusick:

I'd like to ask Councilman Onorato if he'd provide us all with a copy of that.

Mr. Onorato:

Yes, it will be in your mailboxes.

The Chair:

Other discussion? Any other matter to be brought before the body? Councilman Cusick.

Mr. Cusick:

May I have an aye vote for all the votes I missed this morning?

The Chair:

Yes.

Mr. Cusick:

Thank you.

Mr. Udin:

Bill number 729.

The Chair:

The Federal North Bills?

Mr. Udin:

Yes.

The Chair:

I think there were two bills.

Mr. Udin:

Both.

The Chair:

Both bills?

Mr. Udin:

Yes.

The Chair:

Thank you, so it's 6-1?

Mr. Udin:

7-3-0.

The Chair:

Any other discussion on any other matter? Thank you all. At this time this legislative session stands adjourned based on somebody's motion.

ADDENDUM

- Councilman Hertzberg -comments on Bill No. 734, 634 and 136 can be found in the Standing Committees Meeting minutes of June 26, 1996.
- Councilman Onorato -coments on Bill No. 711 can be found in the standing Committees Meeting minutes of June 26, 1996.

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, July 9, 1996

PRESENT:

Mr. Cohen Mr. O'Connor
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. Onorato (Pres't)

The Chair:

Good morning, everyone. City Council's Legislative Session will now come to order.

We have a quorum and good morning, everyone, especially the students that are here today. We'd like to welcome you to the City Council Meeting.

Would you all please rise now for the Pledge of Allegiance and would you

please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We recruited three students this morning, since we didn't have a pledger, and we have three students. I'm going to ask them to come forward. Tiffany Williams who goes to Vann Elementary School and she's going to be going into the 5th Grade. Keith Morrow from Colfax who's going to be entering the 4th Grade and Quinton Williams who's at Vann also and he's going to be entering the 5th Grade and these three students are going to look up at the flag and they're going to lead us in the Pledge of Allegiance.

Tiffany Williams, Keith Morrow & Quinton Williams:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. I want to thank our three pitch hitters this morning for agreeing to do the Pledge of Allegiance and our City Clerk, Ms. Linda Johnson-Wasler, would

like to present you with the flag of our great nation and the flag of our great City. We want to thank all three of you for

being here today along with your fellow students.

I know you're here today for a resolution from our colleague Councilman Udin.

PRESENTATIONS

The Chair:

At this time we have a number of guests in the audience and I would like to call to on Councilwoman Valerie McDonald.

Ms. McDonald:

Good morning. Would Ms. Jeanie Hipkins-Lawson please come forward and Jeanie if you have anybody with you they're more than welcomed to come up.

If my throat is raspy, I don't know why it's raspy. I woke up like that. I'll just read the resolution.

MS. McDONALD PRESENTS

No. 809 WHEREAS, the Children Of Love Theater, C.O.L.T., was organized in July, 1990 by Jeanie-Hipkins-Lawson, who sensed a feeling of hopelessness among the young residents in her community and chose to do something about it; and

WHEREAS, Children Of Love Toyahir reaches out to youth-at-risk within their environment to simulate them in a positive manner through innergeneration activities of drama, dance, music, and poetry; and

WHEREAS, Children Of Love Theatre prepares youth for their place as

future citizens in society by helping them confront issues of survival and ethics that they must navigate successfully in adolescence; and

WHEREAS, Children Of Love Theatre is 65 members strong and they range in age from 3 to 34. They have performed everywhere, from Heinz Hall to the White House. Ms. Hipkins-Lawson has also been the recipient of numerous awards including the CNG/WQED "Volunteer In The Arts Award" (VITA)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends Jeanie Hipkins-Lawson for teaching self-esteem and discipline to youth-at-risk through the arts. Further recognizing the Children Of Love Theater for their hard work and community involvement.

MS. McDONALD moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Ms. McDonald:

I met Jeanie about a year or two ago at some meeting and it was the first time I had heard -- I heard of the Children Of Love Theatre but I wasn't sure what it was all about, who was this person behind it and I saw this lovely woman and I said oh, that's it and I know that they do good work but what really inspired me to give this resolution is a little clip that was in a local newsletter that stated the obstacles that you had to go through to get where you're at and I mean some severe

obstacles that she had to over come really within the past few years and I was moved by that and I know what she does and I know the commitment and now to know how she overcame those obstacles and still is involved with the youth, Jeanie, you definitely deserve this and I'm glad that I'm able to sponsor this for you. Thank you very much.

Ms. Hipkins-Lawson:

Thank you so much. On behalf of the children of the theatre, it's indeed an honor to accept this beautiful prestigious award. We had planned that we would have one of our youth represent the Children Of Love Theatre by singing and as Ms. McDonald said her voice also, she had a very bad sore throat so I'm going to read -- I would like to read a poem that I wrote for the peace rally that we had and it's for all of us, it's titled Community.

This Community of Pittsburgh, this community I was born. This city that I love have has become tattered and torn.

My children are dying or living in fear. Sobs of parents and grandparents, sisters and brothers I hear.

This City of Pittsburgh, yes, we are black and white has become a city that does nothing but fight.

Police officers and youth today are all at risk. I think what we forget a bullet can miss and enter into an innocent young heart of gold. One that never had chance to duck or grow old.

As I walk to the ground that's all covered in blood, I stoop to separate my

child's blood. I don't want hers. Confused I am, trying to determine which blood is his. Is mine white? Is mine black? Oh, God, it's all red. Since we can't separate the blood does this mean our community is dead.

Not my mother, not my father, not the child that carries my name. I can't bear to hear the grief of another family's pain. It's you and me we're community. Our minds sets need to set free. Somehow we must all learn to agree to agree that there is enough love here in this community for both you and me.

This community of Pittsburgh. This community I was born. We thank you.

The Chair:

Thank you and congratulations. Councilman Onorato.

Mr. Onorato:

At this time could we have Raemonda Freeman and everyone here with her, please come forward.

Colleagues, as they're walking forward the proclamation will give the details of this particular work but once again I think this is a sign of a true hero in Pittsburgh, even though she doesn't think she is, but it shows you what I've been saying.

There is so much good in all of our neighborhood that gets overlooked and overshadowed by one or two negative events that I think it's important we continue to expose what's good out there

and I know there has been a lot of coverage on this which I was glad to see and I'm very honored to give this award to someone from my district but truly a Pittsburgh hero.

MR. ONORATO PRESENTS

No. 810 WHEREAS, on May 7, 1993 Raemonda Freeman went to the Northview Heights ball field to help decorate for the All-Stars opening game; and

WHEREAS, before the game could begin, gunfire disrupted the event and Viviaron Roberts, 18, was wounded in the legs; and

WHEREAS, everyone ran for safety, Ms. Freeman turned and saw Viviaron lying on the ground looking up at her; and

WHEREAS, with the gunmen close by, Ms. Freeman went back and covered Viviaron's upper body with her own, shielding him; and

WHEREAS, Ms. Freeman is one of only 20 U.S. and Canadian citizens this year to receive the Carnegie Medal, which is given to those who risk their lives to save others; and

WHEREAS, Ms. Freeman has stated that "I was just a reaction — I would have done it for anyone. If I saw someone in need of help, I think I would do it all over again"; and

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends Ms.

Raemonda Freeman for her courageous actions and congratulates here on being awarded the Carnegie Medal!

MR. ONORATO moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Mr. Oporato:

I want personally to sav congratulations Raemonda but importantly -- and it was a little disturbing but I'm glad it's here now is when this was all happening and it was very upsetting for all of us in the city, this tragedy a couple of years ago, this story was never told at that time, it came out much later. And, I wish it was told then to let everyone know that even when things look so gloomy and dark there's a lot of good happening at the same time. It might have taken a long time for your story to get out but we want to make sure everyone does know about it and especially for the young kids in the room today. You're looking at a true hero here and there's a lot of people to look up to. I want to congratulate you. Thank you.

Ms. Freeman:

Good morning, everyone. I would first like to my Councilman, Dan Onorato, and the rest of the City Council for this special recognition. Being named a Carnegie Hero for me has been a bit overwhelming. My actions on May 7, 1993 were pretty much a second nature.

I never dreamed that as a result I would be standing here being honored by the Pittsburgh City Council. I have always been an avid Pittsburgh fan and not just because of our super sports teams. I am a Pittsburgh fan, the city, and that makes this award doubly special to me because Mr. Andrew Carnegie was such an important part of what has made Pittsburgh special. Through his initiation of public libraries to the induction of this hero fund, he has left a legacy that so many people can and have benefited from and that's something all of us here in Pittsburgh can be very very proud of. Again, I thank you.

The Chair:

Thank you.

Ms. Freeman:

I have my daughters Iesha, Anita and Audrea and my sister Renita Freeman here.

The Chair:

Thank you. Congratulations. Councilman Udin, I believe you have a large delegation here this morning.

Mr. Udin:

I'm afraid so. Good morning. Will Charlotte Heim and representatives from Grace Summer Day Camp program come forward. Thank you.

I want to welcome you all to City Council. The Grace Presbyterian Church under leadership of Dr. Johnnie Monroe is a church that is pointing the way and

leading the way to other churches and other organizations in the community that have caught on long ago to the solution to many of the problems that we're trying to solve here on Council which seem intractable and that is, get them early and Grace reaches out very early in the lives of the neighborhood youth and involves them in a variety of different programs and since we spend so much time in the media and on Council discussing the ones that we missed, it is certainly appropriate that we take time to also acknowledge the ones that we didn't miss, the ones who are doing well and who will go on to become great Pittsburgher's and great citizens and perhaps return to Council to fill seats a little closer down front.

MR. UDIN PRESENTS

No. 811 WHEREAS, Grace Memorial Presbyterian Church, under the leadership of Rev. Johnnie Monroe, recognized a need to serve the youth of their community, thereby creating the Enlisting City Youth Program and the Summer Day Camp; and,

WHEREAS, as outreach programs of Grace Memorial Presbyterian Church, the Enlisting City Youth Program and Summer Day Camp are comprised of activities and events that will enable children and their parents to develop skills and competencies that will enable them to be productive citizens; and,

WHEREAS, the foundation of the program is education that leads to positive attitudes and motivation that will empower the youth and their parents to find meaning in their lives and to develop the

willingness to share and give back to the community; and,

WHEREAS, the youth and their parents participate in activities such as counseling, field trips, cultural enhancement and recreation, dance and music lessons, academic enrichment; and,

WHEREAS, accomplishments achieved from this program are improved school report cards, fewer school discipline problems, increase respect for adult guidance and authority, enhanced critical thinking skills, improved social interactions with peers, and an understanding of religion.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the Grace Memorial Presbyterian Church for their contributions to the African American community.

MR. UDIN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Mr. Udin:

I would like to invite Ms. Charlotte Heim to introduce the guests and to respond.

Ms. Heim:

Thank you so much. This is a surprise. I had no idea we were going to receive this beautiful resolution.

We started this activity today as a lesson in citizenship and our children, of course, can't vote and they don't

understand politics but we know Sala Udin, we she him sitting in our pews. He comes to our programs and our children know that he represents us and he's been having a difficult time lately so we just came down to say that we love you and we support you and we don't understand --our children don't understand the politics but we know you are working for us and we thank you for that and we have gifts for you. Erika Mosley is our first presenter.

Erika Mosley:

We thank you for all the hard work you've done for us. We support you, we love you and we thank God for you. So, on behalf of all the children at Grace Church in Schenley Heights, it gives me great pleasure to present this gift to you.

Ms. Heim:

And, James Ballard.

James Ballard:

You are a warrior, you are strong and we love you.

Ms. Heim:

Lamar Thompson.

Lamar Thompson:

God bless you.

Ms. Heim:

Veronica Taylor.

Veronica Taylor:

Stay strong.

Ms. Heim:

And, Erika Taylor.

Erika Taylor:

Thanks for representing us.

Mr. Udin:

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Thank you.

Ms. Heim:

And, the flag that Lenny Johnson and Kenny Smith are holding is the flag that our children took to the Washington D. C. Stand for Children Rally. It was a life saver. We were able to hold that flag high and our children didn't get lost because no matter how far they went on the mall, they could always see the flag and come back. We thank you for our time. You are always in our prayers, Sala.

Mr. Udin:

Thank you.

The Chair:

Thank you and congratulations. And, thanks all the kids for coming down today.

That concludes our read and adopted. Moving to Presentation of Papers.

MR. HERTZBERG PRESENTED

No. 812 Resolution providing for a contract or contracts or the use of existing contracts for HVAC modifications in the Department of General Services, Bureaus of Cable Communications, and providing for the payment thereof, at a cost not to exceed Sixty Seven Thousand (\$67,000) Dollars.

Which was read and referred to the Committee on Lands, Buildings and Procurement.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. COHEN seconded the motion.

Which motion prevailed.

MS. McDONALD PRESENTED

No. 813 Resolution providing for an Agreement(s) with various community organizations operational/administrative expenses. maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$255,000.00, chargeable to and payable 1996 from the CDBG Program. Department of City Planning.

Also,

No. 814 Resolution providing for an Agreement(s) with Pittsburgh

Partnership for operating and/or administrative expenses of their agency involved in variety а of community/economic development activities at a cost not to exceed \$385,000.00, chargeable to and payable 1996 from the CDBG Program, \$360,000.00, Project No. 4-35-01-4126-96-430-96-35 and from the 1989 CDBG Program, \$25,000.00, Project No. 4-35-01-4126-89-430-89-35.

Also.

No. 815 Resolution providing for an Agreement(s) with Community Based community Organizations for economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$585,000.00, chargeable to and payable from the 1996 **CDBG** Program. \$510,000.00, Project No. 4-35-05-5550-96-420-96-35 and from the 1989 CDBG Program, \$75,000.00, Project No. 4-35-05-5550-89-420-89-35.

Also,

No. 816 Resolution providing for an Agreement(s), Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost not to exceed \$225,000.00, chargeable to and payable from the 1996 CDBG Program, Dept. of City Planning, "Citizen Participation & Technical Assistance" Project No. 4-35-01-0002-96-050-96-35.

Also,

No. 817 Resolution providing for an Agreement(s) with a consultant(s) for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning business assistance. and district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program at a cost not to exceed \$24,500.00, chargeable to and payable from the CDBG Program, Project No. 4-35--01-3062-96-237-96-35.

Also.

No. 818 Resolution providing for an Agreement(s) with Western PA Conservancy for the Community self-help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City of Pittsburgh at a cost not to exceed \$50,000.00, chargeable to and payable from the Department of City Planning (NPA), Project No. 3-35-05-3072-96.

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. O'CONNOR PRESENTED

No. 819 Resolution Amending Resolution #665, effective August 16, 1989. entitled "Providing for Agreement or Agreements with Consultant or Consultants for Design and Project Management Services connection with the Reconstruction of Wood Street from Boulevard of the Allies to Liberty Avenue; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation: providing for the payment of a cost thereof;" by providing for a Supplemental Agreement or Agreements and increasing the total project allocation by \$200,000.00 from \$855,000.00 \$1,055,000.00, chargeable to and payable Code Account EC86-05 \$550,000.00, EC89-10 \$305,000.00 and EC94-23 \$200,000.00.

Also.

No. 820 Resolution Further amending Resolution # 161, effective March 22, 1995, as amended by Resolution # 551, effective July 12, 1995, entitled "Providing for an Agreement or Agreements, or use of existing with Consultant Agreements. а Consultants for Engineering Services in connection with the Design of Phase II of the Reconstruction of Fifth Avenue; and providing for the payment of the cost thereof, "by increasing the total project allocation \$220,000.00 by \$800,000.00 to \$1,020,000.00, chargeable to and payable from Code Account EC95-532 \$800,000.00 and EC96-532 \$200,000.00 for an aggregate amount of \$1,020,000.00.

Which were read and referred to the Committee on Engineering & Construction.

MR. ONORATO PRESENTED

No. 821 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 3, by changing

from "S" Special District and "R2" Two-Family Residence District to "RP" Residential Planned Unit Development District certain property having 426 feet of frontage along the northerly side of Steuben Street identified as 1110 Steuben Street, 20th Ward. (Council District 2).

Also,

No. 822 Resolution approving a conditional use under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended, to National Church Residences for authorization to construct a three-story structure with 43 units of housing for the elderly and 1 unit for a resident manager at 1110 Steuben Street, parking to accommodate with automobiles, on property zoned "RP" Residential Planned Unit Development District, 20th Ward. (Council District No. 2).

MR. ONORATO moved to suspend Rule 8 providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also

No. 823 Resolution providing for an Agreement(s) or Contract(s) with a Consultant(s) or Vendor(s) for conducting planning and management studies including the purchase of data and data analysis equipment at a cost not to exceed \$200,000.00, chargeable to and payable from the 1996 CDBG Program for \$150,000.00, Project No. 4-35-05-4005-96-096-96-35 and 1996 "NPA" & Dept. of City Planning for \$50,000.00, 03-35-05-4005-96.

Also.

No. 824 Resolution Amending Resolution # 206, approved April 11, 1996 entitled "Providing for the implementation of a Residential Parking Permit Program (RPPP) Area "Y" in the Shadyside community (Council District # 8) as to amend Streets included in area "Y".

Also,

No. 825 Resolution Amending Resolution # 121, approved March 12, 1996 entitled "Providing for the implementation of a Residential Parking Permit Program (RPPP) Area "X" in the Shadyside community (Council District # 8) pursuant to Pittsburgh Code Chapter 549, so as to amend streets in Area "X".

Which were severally read and referred to the Committee on Planning, Zoning and Land Use.

MR. ONORATO FOR MR. RICCIARDI PRESENTED

No. 826 Resolution Granting unto Edward and Cecilia Wlodkowski, 2837 Summer Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence on a portion of the right-of-way on Flynn Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

MR. RICCIARDI FOR MR. UDIN PRESENTED

No 827 Resolution Providing for the issuance of a warrant in the sum of \$25,000 to David R. Heinbaugh and Kim Heinbaugh, c/o Dante G. Bertani, Esquire, Union Trust Building, 102 N. Main Street, Greensburg, PA 15601, in full and final settlement of the action filed at GD86-21637 alleging personal injury and property damage sustained due to an automobile accident on Second Avenue on or about December 21, 1984.

Also,

No. 828 Resolution providing for the issuance of a \$1,024.00 warrant in favor of James M. Costello in settlement of claim for sidewalk damage as a result of City tree roots.

Also,

No. 829 Resolution transfer of \$2,500.00 from Code Account 1022, Index Code 102202, Salaries, to Code Account 1023, Index Code 102301, Misc. Serv., Magistrates Court.

Also,

No. 830 Resolution Amending Section 1 of Resolution No. 140, approved March 22, 1996, entitled: Providing for the advertisement for proposals and to award and enter into an agreement(s) and/or contract(s) or use existing agreement(s) and/or contract(s) for the purchase of Unisource Infrastructure to include cabling. equipment, supplies, communication. hardware, software. construction, and training; by including Professional Service Agreements and increasing the total amount by \$1,000,000, from \$2,500,000 to \$3,500,000.

Also,

No. 831 Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional services agreement(s), and/or contract(s) or use existing agreement(s), professional services agreement(s), and/or matching contract(s) for funds conjunction with a Federal grant for the Copsmore Program for any and all expenses and salaries associated with the purchase of new/replacement computer equipment, supplies, software and/or analysis, communications equipment. design, development, programming and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems. Cost not to exceed \$500,000.00.

Also,

No. 832 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with the Pennsylvania Economy League for the purpose of establishing the Competitive Pittsburgh Task Force. The cost is not to exceed \$125,000.00, payable in installments of \$25,000.00 chargeable to and payable from Code Account 1063,

Miscellaneous Services, Department of Finance.

Also,

No. 833 Resolution providing for the acceptance by the City of Pittsburgh from the Housing Authority of the City of Pittsburgh of certain property in the 15th ward in the City of Pittsburgh for public greenway purposes to be an addition to the Hazelwood Greenway at no cost to the City of Pittsburgh.

Which were severally read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED

No. 834 Resolution authorizing and directing the Cable Advisory Committee to draft proposed amendments to the Federal Telecommunications Act addressing the issues of fee regulation and consumer choice. (SPONSORED BY MR. FERLO AND MR. COHEN)

Which were severally read and referred to the Committee on Lands, Buildings and Procurement.

The Chair:

This bill is being introduced as a resolution by Councilman Cohen and myself and basically we're attempting to respond to a request from Dr. Eaton who chairs the Cable Communications Committee. They're desiring some response from Council, some direction regarding an advocacy campaign given the fact that local municipalities no longer have the ability to deal with rate regulation

and other issues affecting programming services.

I would like to respectfully ask for a motion to waive Rule 8 so that Dr. Eaton can be here tomorrow to start discussing this.

Mr. Cohen:

So moved.

MR. RICCIARDI seconded the motion.

The Chair:

Moved and seconded. All in favor?

Which motion prevailed.

Also.

No. 835 Communication from Tom Flaherty. City Controller, submitting the Performance Audit of the Department of Public Safety, Bureau of Building Inspection, dated July 1996.

Which was read, received and filed The Chair:

Need a motion to receive and file on that report from the Controller's Office.

Mr. Cohen:

So move.

Mr. Onorato:

Second.

Which motion prevailed.

The Chair:

Moved and seconded. All in favor?

Motion carries.

I would like to suggest that maybe we have a Post-Agenda maybe after the recess with building inspection regarding this performance audit and ask the Controller's Office to come forward and present some of the recommendations.

There were a number of issues that were raised. Obviously the business privilege tax is not something that's going to be readily dealt with by this Council although I think all of us have expressed our support for the lowering of the onerous tax.

However, there lot are administrative suggestions that were made regarding the permit process and making it easier for contractors to expedite their approval process through the bureaucracy and I'd like to suggest maybe with a Post-Agenda meeting we can hammer out some of these issues. These issues have come up before on the table and I'd like to suggest we get the Controller up here and Chief Cimino and we talk about it so I'd like to schedule that with the support of whosoever Committee that is, I guess Public Safety, Mr. Cohen. So, I'll let you know on that.

The two other things. We asked for a special committee being chaired by Mr. Onorato regarding the historic designation process issue. I would hope that we could move expeditiously on that. I noticed in an article in the paper that

there were a couple of communities groups active either in the West End or I think North Side, Deutschtown. I cannot vote for any designation of a district at this point with the proviso that somehow we're going to have to pay damages so there's no way I want to vote to support any designation of any district and given the fact that a lot of work goes into it I would hope that this committee can just do it's work as quickly as possible, maybe we could try to resolve one way or the other this issue before we just have a lot of people expending a lot of time out there possibly needlessly at this point in terms of the designation process. So, I think a lot of people have been notified. I know Mr. Onorato has agreed to chair that and will be convening the meeting shortly. I have asked Director Hirsch to send committee members a copy of the Clarion study to bring us up to date and be the basis hopefully for the initial meeting so I hope that can happen as soon as possible. Thank you.

If any colleagues have any suggestions or concerns, I'm sure it's an open process but we'd like to move on this as quickly as possible.

Moving to -- any other matters under Reports of Special Committees?

Councilman Onorato.

Mr. Onorato:

Yes. I'd like to make a motion to televise tomorrow's Post-Agenda. Tomorrow's Post-Agenda is regarding the Sports Field II Task Force a recommendation to the Mayor. I told you I would do this right away so that you could lead into a public hearing. So, we'll

get the Post-Agenda out of the way tomorrow. This is mainly an informal meeting for our colleagues to talk with some of the members and the architects if they have any questions and I'm sure you're going to call for a public hearing after that so we'll have the Post-Agenda tomorrow and there's a motion to televise.

The Chair:

Motion to televise. If there's no objections, I'd like to suggest that we schedule a public hearing maybe the latter part of September after the dusk clears a little bit but I would like that public hearing also to discuss not only the location but some of the financial issues and other reports so it's a friendly amendment.

All in favor?

Which motion prevailed.

The Chair:

Thank you very much, Councilman. I think it's going to be a good meeting tomorrow and I think the public will have a better understanding of the work of the task force and some of the other issues that need to be discussed.

Any other matter under Unfinished Business or Reports of Special Committees?

Hearing none, moving to Reports of Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED

Bill No. 836

Report of the Committee on Finance & Budget for July 3, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 661.

Resolution providing for an agreement with the Commonwealth of Pennsylvania Department of Transportation, their heirs, executors, administrators and assigns, which grants a temporary construction easement for construction of Carson Street ramps and an aerial easement for rehabilitation of piers for the Fort Pitt Bridge, as well as ingress and regress over property owned by the City of Pittsburgh upon certain terms and conditions.

Which was read.

Also,

Bill No. 752.

Resolution authorizing the transfer of two hundred thousand dollars (\$200,000.00) from code account 1443-4, Premium Pay, Index code 144345, to Police In-Grade, Code Account 1443, Index Code 144360, for in-grade pay for police officers.

Which was read.

Also,

Bill No. 762

Resolution providing for the issuance of a \$852.00 warrant in favor of Mildred L. Dovey in settlement of claim for sidewalk damage due to City tree roots.

Which was read.

Also.

Bill No. 763

Resolution providing for the issuance of a \$1,525.00 warrant in favor of Mary Tracey in settlement of a claim for sidewalk damage as a result of City tree roots.

Which was read.

Also,

Bill No. 753.

Resolution providing for the issuance of a warrant in favor of Lanmark, Inc. in the amount of \$89,167.58 in payment of the marble cleaning and restoration in the City-County Building Lobby; and providing for the payment of the cost thereof.

Which was read.

You have heard the reading and title of the bill, is there any discussion on the bill? Councilman Udin.

Mr. Udin:

In the preliminary meeting I voted "no" on Bill 753 for the warrant for Lanmark and I will be voting "no" again today. I think there are too many unanswered questions. I was not satisfied

with the response of the director and I'll just be voting "no" again today.

The Chair:

Thank you, Councilman. I voted no and abstain. I want to abstain on the bill today. I think it's probably true at some point that we are responsible for some amount of money for the work performed. have offered some T I don't know what the amendments. pleasure of the body is regarding these. I'm not in the position to offer the amendments formally. I would hope that if this does pass today, although it will not be with my vote, that the due diligence by the Solicitor will review this issue that I've raised to all of you and it's expressed also in this amendment and I would hope that the Controller's Office also would actually review payroll records. I have a lot of faith in Director Reginella. I do question, though, however I still dispute the fact that this was not emergency work. I do not believe it was specialty work and I do not believe that the same company wearing two hats which is kind of a shell game as far as I'm concerned. I do not feel that it's warranting a twenty something dollar an hour additional payment and at some point I think there should have been some negotiation with the subcontractor.

The whole thing just doesn't make sense to me from a variety different points of view and I'm going to respectfully abstain from voting in favor of this and hope that the due diligence by the Solicitor and the Controller and the Administration will be done prior to a final payment.

I also want to make it clear that my objection and concerns on this bill and my

discussion initially two weeks ago, last week and today were without any knowledge of specifically Mr. Modena's past activities. I had no knowledge whatsoever that this gentlemen had been prosecuted for various offenses. That was totally not in my knowledge base when I raised issues of concerns. I raised issues purely on the issue of the amount of payment being excessive, questioning whether it was indeed emergency work. expressing my -- being upset at the fact that a subcontractor was hired in a greater fee hourly than the initial "B" Contract which is clearly a violation. The other issue I would hope that the due diligence will be done by the Director, by the Solicitor and by the Controller's office. Councilman O'Connor and Councilwoman McDonald.

Mr. O'Connor:

Go ahead.

Ms. McDonald:

Thank you, Bob. I voted in the affirmative last week because, again, we have a contract, it's signed, the work's been completed and I think the City legally is obligated but in lieu of Councilman Ferlo's recent correspondence to us it raises some serious questions to me having worked myself in contracting, things happen. So, I am very apprehensive about voting necessarily in the affirmative but I will abstain. I cannot vote in the negative per se essentially because of the legal ramifications, are we obligated, and also the regular folks that work, you know, under these subcontracts or general contracts, they're workers and I don't want to withhold their pay, I don't want to make the workers suffer. I think it's the issue that Councilman Ferlo brought to the floor was the actual head of the firm, the Presidents' and all the CEOs' that would be involved.

So, again, I'm apprehensive myself. I'm going to abstain. I'd love to recommit this until the City Controller's Office gets back to us according to Councilman Ferlo's amendments but if it goes for a vote, I'm going to abstain.

The Chair:

And, Mr. O'Connor if you will permit me. I do want to make a clarification. If the bill was amended, the warrant, with my amendments here I would vote in favor of it because at this point I feel we've separated out our legislative responsibility versus the administrative responsibility the Administration and the Law Department and the Controller. So, if my amendments were attached to this warrant. I would vote in favor of it and I feel we've done our due diligence, we've done our job and we should pass it along to those to review the actual information.

Ms. McDonald:

Councilman Ferlo, I just have a point of clarification on your amendments as you said. Now --

The Chair:

-- The Chair cannot make amendments from the floor up here that's why I haven't offered that formally.

Ms. McDonald:

Well, the amendments -- okay, the amendments are that we would pay the \$89,000 but would be given a report by the City Controller and the Solicitor's Office after the fact or is this contingent upon --

The Chair:

No. It would be contingent upon the Controller's Office and the Solicitor providing reports to us and then after the Solicitor has verified the appropriateness of the payment.

Ms. McDonald:

And, then, if everything is fine and dandy then they get the payment.

The Chair:

Yes.

Ms. McDonald:

Okay.

The Chair:

I don't think it's our job to decide about an invoice. We have no way of knowing what work was done. I mean, that's really the Administration and the Law Department to -- Councilman O'Connor.

Mr. O'Connor:

I was presuming you were going to put these in and I was going to support your --

The Chair:

-- well, I would like someone from the floor to do it.

Mr. O'Connor:

Well, then, in that case since it's my department and you have brought up some very suspicious and questionable allegations here and it looks like you have some verification for that so I would put this in because in no way am I going to vote for this unless as you say all these things have been checked and as Ms. McDonald said, with this kind of record from this person why we would ever let him bid in the first place is beyond me and the second and the most important thing what Ms. McDonald said, we want to verify that the checks get to the people who did the work and there's not some hanky-panky so I would make a motion to put these in because otherwise I can't support this bill.

Mr. Hertzberg:

Second.

Which motion prevailed.

The Chair:

Thank you. Other discussion on -because obviously with the amendments I would in favor of the warrant and I feel that, we as a legislative body, we have done our jobs. Councilman Onorato.

Mr. Onorato:

Obviously, the amendments are pretty straight forward and look like good accounting on internal control procedures. The problem I have with the amendments actually are not the amendments themselves but what they're saying is happening if we don't vote for them. I read through the amendments where it says the payroll record of both Lanmark and Modena to determine the job classification, wage rates actually paid to workers on the marble cleaning and restoration of the City and lobby and to report the findings of said examination.

I would hope that on that one and the one following it to determine if the work has been performed according to the invoices, asking the Solicitor to look at the -- of how this was approved, this particular individual got the job and then looking for another legal opinion. I would hope that we have internal controls in place that we don't have to make an amendment everytime there's a project done on the City of Pittsburgh. I mean, this sends a signal to the public that everyone that we approved the last four years that I've been here that we haven't had these amendments that there's no internal controls and that we're just approving these left and right. I know that's not true and I'm concerned about the message that's here. Not what's on amendments but implying that there's no internal controls.

I know Mr. Reginella has been to the table twice and I just want to go on the record -- I've been pretty quiet about this whole thing. I want to go on the record that a lot of our directors at times have to make judgment calls on what's considered an emergency and what isn't and the nine of us might disagree on what's an emergency. I don't know if downstairs was an emergency, I'm not an engineer. Our Director of Engineering & Construction decided that it was an emergency and he made a decision to move forward using the "B" Contract.

"B" Contracts are competitively bid but they're only supposed to be used in emergencies because we do have a \$25,000 requirement to put things out for bid and I think Mr. Reginella addressed those issues twice at the table. If five of us agree that we don't like his answers, that's one thing. If we think what he's saying is true and that we're going to allow our directors to act certain ways, I think we should approve the bill.

I'm ready to vote "yes" today with or without these amendments. I voted "yes" twice now on two preliminary votes but I'm not so sure why we need these amendments. I think the bigger question here is it's implying there's no internal controls which I don't believe that's the case. When we have prevailing wage that must be used, it was my understanding that certified payroll records have to be approved somewhere along the internal control process. These amendments are implying that the wages have not been cross-referenced and they haven't been checked.

I was always my understanding that before we pay an invoice that somebody's checking them to make sure the work is done. According to these amendments, we feel that that hasn't happened, that's why we're voting for them. So, I have mixed emotions about

the amendments, not because of the substance of them but because of the message that it's sending both to us and to the public.

Once again, it's a Catch 22, on Oak hand you want your directors to have the flexibility to make judgment calls it ruce: is an emergency because God forbid it that ceiling would fall on somebody's head and if it wasn't an emergency, then we shouldn't be using the contract. We asked the question twice, the Director felt in his professional judgment that it was an emergency, he made a decision and I'm not going to buck him on this one. I'm going to applaud him because maybe he did save us a tragedy. I know what would have happened with the nine of us if that ceiling would have fell and hit somebody on the head. We would be screaming left and right and we would want Mr. Reginella's head on a platter because he didn't move fast enough. In this case, he moved fast and maybe he did prevent an injury. Like I said, I'm not an engineer. He obviously felt that it was important to move straight ahead. Unless there is some kind of impropriety that somebody can show me. I'm ready to approve this bill without the amendments today and I just felt that I had to put that on the record.

The Chair:

Other discussion? What's the pleasure of the body? Mr. O'Connor.

Mr. O'Connor:

Just for the record, I'm not going to approve it without the amendments because there is too many suspicious

things here and I think it has to be double checked. We're presuming the director made the right decision but there is a contractor who has a shaky past and a contractor who it looks like he has a subcontractor that he's part ownership These things all are very questionable whether the Director knew this or not. I presume with his shaky record in the past legally he can still bid and this brings up a lot of ethics problems that maybe we do or don't want to get into now but I certainly support you, Mr. Ferlo, in double checking that everything has been checked before we pay this bill. If we agree to this, I don't want it to come back that we paid for the wrong thing. In most cases, these things are all checked but this was an emergency call. I will support the Director presuming he made the right decision but I want to make sure because of the people doing it that we want to make sure there is no hanky-panky here.

So, I agree with your amendments. Let's vote them up or down but I won't support it without the amendments.

The Chair:

Thank you. Again, I just want to express the reason why this bill is before us was because the Controller's Office rejected payment and that's the very reason why we're in this discussion in the first place. And, secondly, the issue of the prevailing rate I'm not raising as an issue. It's not clear as Director Reginella stated, based on the nature of the work, it's not clear that prevailing rate was necessarily obligated to be paid. So, I think those are the issues that I would hope that the Controller's Office will fair it out and if the argument was that specialty work was

needed then we should not be paying a general labor carpenter to do the repair work of which part of this invoice I've been lead to believe by the Controller's Office was for a worker who was not a so-called specialty marble person.

The whole thing is not -- I just think we're not in a position of ferreting out this information. It's the Law Department, it's Director Reginella and it's the Controller's Office and I'm only suggesting that we provide the additional safeguards and that we move on the bill.

Mr. Onorato:

Mr. President, I agree with what you said but the problem here it's implying -- because I don't think we are in a position to ferret this out like we aren't in the position to do with any of the bills that we approve here. My question is where are the internal controls? If we're worried about something dirty here or something we don't like, do you know how many bills that we approve here on warrants and "B" Contracts that we never ask for this?

The Chair:

That's a good point. I think the first internal control, the first red flag, should have gotten waved when the Controller's Office refused to raise an eyebrow at the though of paying this under the "B" Contract. The Controller's Office expressed the point that it was not contractually appropriate to pay this subcontractor. I mean, that should have been the point in which there should have been a re-evaluation of the situation and I'll be honest with you. My problem with

this right from beginning has been there's no way I viewed this work as specialty work whether it was emergency or

nonemergency. I can't believe that the person who won the "B" Contract award do general maintenance and repair of public buildings didn't have enough skill to do regrouting of tile whether it was the Sistine Chapel or whether it's the chapel ceiling of the City-County Building and, to me, the whole thing doesn't look right. That all of a sudden this shell game is being played between Lanmark and Modena and all of a sudden we're paying \$25 an hour more. But setting that issue aside, I'm willing to vote for it because I do trust and have faith in Director Reginella. I'm just asking that we provide some additional safeguards.

Mr. Onorato:

My only point was that you just said your opinion is that it wasn't specialty work. I have no idea, I'm not an expert either. All I know is that's a very tall ceiling that has an arch. I don't know if that qualifies as special work and those questions you rightfully brought up twice to Director Reginella at a Wednesday meeting and I think that's the way we should drill them.

The Chair:

I'm curious to know how many other bidders on the "B" Contract who bid on the maintenance work for the City-County Building or the other public buildings would like to offer their opinion about whether or not they could have done that job under the "B" Contract guidelines and I will be willing to bet that a lot of

them would say yes we'll jump at the ability to do --

Mr. Onorato

-- all I'm saying is I'm not going to be part of a double standard of the nine people here. If you're going to do that, I want to ask the other contractors in every single "B" that gets done in our districts that has nothing to do with this particular contract. I know "B's" get used in every one of our districts at certain times for emergencies, for pool work, for "rec" centers and I can on and go on and yet no one says well let's bring in other contractors and ask if they would have done it differently.

The Chair:

You're missing my point, I'm not disputing the "B" Contract process.

Mr. Onorato:

You opened up a can of worms and I think if you want we should investigate the entire "B" program then. If that's what you're talking about because you can always point to examples where a "B" has be used that exceeds \$25,000. I know of at least ten I can think off top of my head without even looking and the reason was it was an emergency or some other reason but I think it's an issue that if directly brought forward and it's something that it shouldn't be limited to this particular case and I want to make sure we don't unjustly criticize one director when we al! know that "B's" get used across the board for certain things and for different reasons and if the policy is that we're going to really define what emergency is or redefine it, I know it's in the state definition, that we should probably look at all of them, not just one.

The Chair:

Other discussion? Councilman Cohen.

Mr. Cohen:

I do think we probably should look at "B" Contracts again as Council has done so many times. With attribute to Michelle Madoff and many others "B" Contracts has been an issue here for many vears and we all know that with "B" Contracts there's not as much accountability as there is with other contracts so I think maybe it is worth looking at that again but with respect to this bill there are too many questions out there and I think we have an oversight function and that is to second guess any use of taxpavers money whether that's a warrant or a "B" Contract or whatever and Councilman Ferlo vou have raised questions here through an investigation that I think are very serious questions and it seems to me they fall into three categories. Maybe there are even more than that but one is, whether this in fact was an emergency that necessitated a "B" Contract. Number two, whether the price was justified, whether this was specialty work that required a higher price or not. And, number three, is whether there was hanky-panky between the general and the "sub" and there is at least some evidence So, as far as I'm that there was. concerned, this whole thing smells bad. I will support the amendment but I can't support the final bill until we get answers from the director on those three points.

Now, I wasn't here at the last meeting so maybe he answered them then. I was here at the first meeting where this was discussed but until I get some answers on those three issues to my satisfaction, I can't support this bill.

The Chair:

Well, again, the amendments do suggest that prior to the actual issuance of the warrant by the Controller's Office they would sustain this information to Council by the Solicitor and the Controller's Office. So, it's basically saying we've done as much as we can do with this, let's let the administrative arm of government, the Controller's Office and Law Department move on it and be done with it.

Mr. Ricciardi and Mr. O'Connor:

Mr. Ricciardi:

Thank you. Colleagues, I'm prepared to support this bill today with or without the amendments. I don't have a problem with the amendments. I do agree with my colleague, Mr. Onorato, that hopefully, too, the amendments are being done on each every invoice and warrant that's being prepared by Engineering & Construction, Parks & Recreation, Public Works and the Controller's Office or whatever department that is the user of the department so I don't have a problem with this. I just want to make it clear from my point of view that I listened very closely to

the Director of Engineering & Construction, Mr. Fred Reginella, I read over his memorandum. If he says it was an emergency job, I believe it was an emergency job. If he says it was specialty work, I believe it was specialty work. Of course, after that it's up to the Controller's Office to make sure that the proper rates were paid before the invoice is approved by the Controller's Office and "he cuts a check." That's an issue that really belongs in the Controller's Office.

So, once again, by voting for this today what I'm saying is I believe Reginella is a person who knows his job well who has a lot of experience in the construction field and he made a call and that call was that there was not enough time to go out for a bid meaning not enough time to put this contract out as a free standing contract and there was not enough time to tell I guess Lanmark at the time that it needed to be a certain way.

Keep in mind that the City of Pittsburgh does recognize not subcontractors. That is when you have a prime contract and that that prime goes out for "sub," we in no way recognize that that's "sub." We are recognizing the prime who's responsibility to do the work. The issue of specialty with all due respect to our Council President who keeps questioning if it's specialty work. Reginella says it's specialty work I have to believe that. So, again, I don't have problems with these amendments before us, Mr. Ferlo. I am hoping that the amendments are being followed by all invoices that are put in.

Obviously, the one amendment that says -- concerning Section 161.22 of the

Code, I have personally have not read that code and I'm looking forward to what the Solicitor says be it that once this passes it's going to be very interesting to see if any other primes have to be covered by 161.22 and that what the position of this body will be in the future. But, again, I have no problems, I'll vote for these amendments today and I definitely am voting for the bill and I'll also say it's a warrant that needs

six votes so I thing these amendments will pass.

Once these amendments pass, if it doesn't appear that there's six votes, I would recommend we recommit the bill and I think we can get a feel for that once the amendments pass and how people feel. Hopefully, publicly, before that because if it's going to feel -- you know, I say we should really recommit the bill.

The Chair:

Mr. Udin then Mr. O'Connor with the final word before we vote on the amendments.

Mr. Udin:

I just wanted to clarify — I think we're getting kind of confused about what aspect of this total contract was emergency work and what aspect of it was nonemergency work. What I understand is that a very small portion of the total work had to do with the emergency situation of loose tiles. The majority of this contract had to do not with emergency work but with cleaning, cleaning the ceiling, and I'm not convinced that's specialty work necessarily and even if it does require a special kind of cleaning solution, I'm not

convinced that the original "B" Contractor could not have done that.

Part of the reason why we can't get an objective assessment of whether or not the original "B" contractor could have done it is because of the lack of distance between the original "B" contract and the subcontract. In effect, the "B" contractor subcontracted to himself to do the cleaning for \$25 or more an hour, that's the problem.

There is no distance between the prime contractor and the subcontractor. I understand that the person who owns Lanmark also owns Modena, it's the same company and that's the problem,

Mr. President. We do not have the kind of objective assessment as to whether or not the cleaning work required a specialty of this nature and that aspect of the contract was definitely not emergency.

The Chair:

Mr. O'Connor, final word on the amendments.

Mr. O'Connor:

Final word. Again, the Director made a decision. I don't want to hold all directors handcuffed to make a decision, an emergency decision. I don't think we're questioning the decision whether it be right or wrong. He made the decision, I think we should support that. The two key things were you, the President of Council, and the Controller threw up a red flag about these contractors and subcontractors, that's the ethical thing I'm worried about. The total money I think is around \$26,000 but I think the procedure and if this is

going to go on we have to put something in place that it doesn't happen again and that's why I think by supporting your amendments here we're asking the Controller to double check to make sure everything is kosher, everything's been paid for that's been done. If it hasn't, then he will deduct that and we're covered and I think it's up to him to make sure these things are paid for which the City's getting it's money worth.

It is a -- it's any contract -- you're at the mercy of the contractor when you give them emergency work that can happen anywhere. I think this will send a message, though, to everyone who does City business that we are watching our purse strings and we are watching business and I trust the Controller to do a thorough audit so that before any money is paid to this contractor or his "sub" which is me and if it is in case himself, then this is an ethical question I hope before we bid these out or he be removed from the "B" Contract -- again, I think it's in the Controller's best interest to look at that because I'll support the amendments. I think it's a good practice to double check doing the right thing.

The Chair:

The bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cusick Mr. O'Connor
Mr. Hertzberg Mr. Onorato
Ms. McDonald Mr. Ricciardi
Mr. Ferlo

((Pres't)

AYES 7

NOES 1

(MR. UDIN VOTING NO) (MR. COHEN ABSTAINING)

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

The Chair:

On the bill, itself, any other discussion? I am voting in favor of the bill.

Councilman Onorato.

Mr. Onorato:

It's sort of on the bill but on this issue. I'm going to ask the Clerk's Office. maybe not to do it immediately, to probably take some time if we could just take a 12-month period and I would ask that 1995 let's say -- if can pull all of the warrants that came in front of us that were in excess of the \$25,000 for some kind of emergency reasoning just so we can review it to see if there was any "subs" used and what the work was for because I want to try to find out if there are any checks and balances for any internal controls of this issue. I don't want to just limit it to this particular case. So, if we can look at the 1995 year of anything that exceeded the state requirement that we had a vote on, after the fact, that a director made a decision that it was an emergency so we can double cross-reference.

The Chair:

And, I would only ask maybe if we can get a two or three spread, I think we would get a better sense cumulatively what the experience was. Other discussion?

Mr. O'Connor:

Is it legal for them to use their own subcontractor? I would like to know that question.

The Chair:

That information will be supplied to Council prior to the Controller's Office issuing a warrant. Anything is legal assuming they have the authorization of the Director and eventually the support of this legislative body.

Mr. Onorato:

I think it would also be helpful if we -- I don't know if you're going to do a post or doing a meeting where you should have the Director of General Services here. Deborah Miskovich, who oversees all of the bidding procedures, I'm sure she can answer all these questions for us such as our "sub" is legal and I don't see her name mentioned at all in the amendments but somewhere along the line we have to have the Director of General Services --

The Chair:

-- "subs" are legal but they must be authorized and approved by the respective director but currently "subs" are not legal if the rate exceeds the initial contract rate and that's where --

Mr. Onorato:

-- well, everybody's throwing out numbers here in a vacuum. We heard \$25.00 more blah blah blah. We don't know if it was prevailing wage rate, you know, all these things. I think we should give Director Miskovich an opportunity to at least explain what's going on and what the procedures are.

The Chair:

Why don't we move on the bill given the fact that we've amended it and then have a meeting specifically on the general discussion on the "B's" and the various safeguards and rates and all the other issues.

Mr. Cohen:

So, one more question to your list and that is did they disclose the fact that their ownership is virtually the same as the ownership of the subcontractor? Did they disclose that fact?

The Chair:

Well, judging from Director Reginella's comments at the table who conveyed basically that he was not aware of that, I would assume that they didn't offer it nor necessarily did they get asked so I don't think that if they're both the same address but that's another issue.

Mr. Oporato:

But, I could tell you right now you're probably going to be surprised. There's a lot of construction companies that have many "subs" that are solely owned subsidiaries, the exact same owner, it's usually a family member. If not, the exact same person. That is very common. It is not usual, it's very common so I think what we might want to do is first of all find out if it's legal and I think that it is but then also you might just want to do a reference of all the companies and "subs" that are related and you're going to find a lot of them because it's very common practice.

The Chair:

Roll call vote on all the bills.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES 9

NOES none

The bills having received the legally required number of votes are passed finally.

The Chair:

All bills including the warrant Bill No. 753 as amended have been approved and are final.

MR. RICCIARDI PRESENTED

Bill No. 837

Report of the Committee on Public Works, Water and Environmental Services and Budget for July 3, 1996, transmitting sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 757

Resolution providing for an Agreement or Agreements with the University of Pittsburgh Medical Center System for the acceptance of Sennott Street between South Bouquet Street and Meyran Avenue in the 4th Ward, 3rd Council District of the City of Pittsburgh.—(AS AMENDED)

Which was read.
Also

Bill No. 758

Resolution amending Section 1 of Resolution No. 730, approved September 29, 1995, effective October 2, 1995, entitled "Granting unto the East End Food Co-Op, 7516 Meade Street, Pittsburgh, Pennsylvania 15208, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the sidewalk area on Meade Street in the 13th Ward, 9th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 759

Resolution granting unto Cafe Flora, 5904 Bryant Street, Pittsburgh, Pennsylvania 15206, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Bryant Street in the 11th Ward, 7th Council District of the City of Pittsburgh.

Which was read.

Also.

Bill No. 760

Resolution granting unto The Iron Butterfly Restaurant Inc., 212 Sixth Street, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a canopy over a portion of the right-of-way on 212 Sixth Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 761

Resolution granting unto Bruegger's Bagel Bakery, 26 Market Place, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and

expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Market Place in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and titles of the bills, is there any discussion on the bills?

Hearing none, the bills are ready for final action. All in favor of the passage of the bills will vote "aye" when your names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Ferlo

(Pres't)

AYES 8

NOES none

The bills having received the legally required number of votes are passed finally.

MR. ONORATO PRESENTED

Bill No. 838

Report of the Committee on Planning, Zoning & Land Use for July 3, 1996, transmitting one resolution to Council. Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 370

An Ordinance amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article I, Administration, Chapter 903, Definitions, Section 903.02 Specific Definitions, by amending the definition of "Amusement Arcade" in subsection 903.02(a).---(AS AMENDED)---(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

I would like my comments brought forward from the committee session. Any other discussion?

(REMARKS -- SEE ADDENDUM)

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Udin Mr. Cusick Mr. Ferlo Mr. Hertzberg (Pres't)

Ms. McDonald

AYES 6 NOES 3

VOTING NO:

Mr. Ricciardi Mr. O'Connor Mr. Onorato

The bill having received the legally required number of votes passed finally.

MS. McDONALD PRESENTED

Bill No. 839

Report of the Committee on Housing, Economic Development & Promotion for July 3, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No .653

Resolution providing for an Agreement or Agreements

With the Pittsburgh Community Service and implement the Youth Gang Standard Program, at a cost not to exceed \$50,000,00.

Which was read

Also.

Bill No. 785

Resolution amending Resolution No. 336, effective May 17, 1996 entitled "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses,

maintenance, purchase of equipment; and/or minor rehabilitation neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$117,000.00, chargeable to and payable from Code Account 1103 (110304)Miscellaneous Services. Department of City Planning" so as to delete S.P.E.R.T. (\$15,000.00) and add Brighton Heights Citizens Federation (\$15,000.00) and add Three-Five Community Advocates (\$1,000.00).---(SPONSORED BY MR. ONORATO)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Councilman Ricciardi then Mr. Cusick.

Mr. Ricciardi:

Thank you. Colleagues, regarding Bill 653 which is \$50,000, CD dollars to the project Lifeline, I recall we had a Post-Agenda and thank you Mr. President for setting that up. At that time I did raise some concerns and that concern was that so many dollars appears to be going into children either at-risk or troubled youth and a lack of dollars to the kids that are really doing it the right way.

Recently, for example, I've been very very disturbed to hear that the Healthy Start Program has been stopped, will no longer operate out of the Brashear Association, it appears for some funding reasons and there's just another reason that I'm very concerned about these dollars but I must say that after listening very closely

to John Golden, who I think has the respect of this entire body, I voted in the affirmative during the committee session and I'm going to do that also with the stipulation obviously that I would really like to see the results. If this \$50,000 appears that it does turn 15 to 20 troubled youth around or at-risk around and they're able to get really back into the swing of things, I'm probably going to be very happy that I voted in favor of it, going to be very closely watching these dollars but I just wanted to make that point across because I'm very strong in my awards during the Post-Agenda because it appears that there are many many good programs going on for the good kids and I'm using that word "good" kids that we cut back on.

I'm very disturbed that Healthy Start is cutting back, very disturbed there. I was a keynote speaker at the Knoxville School graduation and we had 77 who made the honor roll and 77 kids that worked very hard and it took someone from Florida to come up to give a \$200.00 scholarship in the name of his brother which I thought was very well but, you know, here's \$200.00 that's all we gave 77 kids who did it the right way. But, I'm going to vote in the favor of this and I'm going to watch it very closely. I'm looking forward to see if those dollars are well spent in next year's and hopefully after we really look at and evaluate it. Thank you.

The Chair:

Councilman Cusick.

Mr. Cusick:

Thank you, Mr. President. I just want to make a clarification on Bill 785 and that

is that the \$15,000 that's being deleted from S.P.E.R.T. (South Pittsburgh Economic Revitalization Team) is not the same \$15,000 that myself and Councilman Ricciardi had set aside for S.P.E.R.T. that it is a clerical error and that money was supposed to go to Brighton Heights citizen federation. I just wanted to make that point clear.

The Chair:

Thank you. I think Mr. Onorato said it was just a technical amendment.

Mr. Onorato:

S.P.E.R.T. still has the \$15,000 that was allocated in the budget. Brighton Heights was incorrectly omitted from the budget and when it was printed, this is just to correct it, so they're both funded at \$15,000 as opposed to deleting either one of them, they're both in there and that's what we approved in December.

The Chair:

Any other discussion? Hearing none. Roll call vote.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Onorato
Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Udin
	Mr. Ferlo
	(Pres't)

AYES 9 NOES none

The bills having received the legally required number of votes passed finally.

MR. COHEN PRESENTED

Bill No. 840

Report of the Committee on Public Safety Services for July 3, 1996, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No .371.

An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Article IX, Amusement Businesses, Chapter 777, Mechanical Amusement Devices, by changing the definition of "Amusement Arcade" in section 777.02(d), Definitions, and in section 777.05(e), License Fees.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? Councilman Operato

Mr. Onorato:

I would like my comments brought forward. I will continue to vote "no". I recognize your argument and why you're in favor of this and the benefits that you believe it will entail in the City financially but my concern is that even with those

benefits that the negatives will eventually outweigh the positives when it comes to the problem bars and the problem bars owners. And, I understand there are a lot of good bar owners out there and they're thriving as we speak. I think that five arcade machines are plenty. Two more shouldn't make or break any establishment and the only thing that it will do at least for a lot of problem bars that I have to deal with is just help out some of the problem owners who refuse to cooperate with us and cause problems in the neighborhood so I have to continue to vote "no". I don't think it's a wise choice to increase the limit from 5 to 7.

(REMARKS -- SEE ADDENDUM)

The Chair:

Thank you. Again, obviously I respectfully disagree. I would like my comments brought forward and I would only, again, say that I hope we visit this issue of nuisance bars, the few that do exist. I think that 95 percent of the taverns and the restaurants throughout the City of Pittsburgh, all 90 neighborhoods are great establishments providing an economic benefit and ambiance to our neighborhood district corridors.

I think this bill helps small businesses throughout the City. I do not think there is any detrimental impact to the extent that you raise an issue. I would hope that we visit that issue come budget time to the extent that there's another 50 to \$100,000 in income in B.B.I. I would hope that would address whether or not an additional Code Enforcement Officer is needed possibly one dedicated to Nuisance

Bar or to the Problem Bar Task Force. Mr. Cusick.

(REMARKS -- SEE ADDENDUM)

Mr. Cusick:

I would like my comments to be brought forward too, Mr. President, and I very much agree with your words. I just want to say that I think we should be giving out business -- our small business men every opportunity to succeed and I think this bill helps do that. I think it also helps since we make a better -- not only make a better business in the community but make their business look better, providing a bigger profit for them and if that works, so be it. I'm real happy that this bill is finally being approved today, Mr. President.

(REMARKS -- SEE ADDENDUM)

The Chair:

Thank you. Other discussion? Councilman O'Connor.

Mr. O'Connor:

I'm all for -- I was a former small businessman -- all for small business making a profit. I have a couple problems with it and if they could be resolved and maybe in the future we could resolve them. We're allowing the bars to go to seven video poker machines in Las Vegas, a bar is only allowed 15 so we're half-way to being casino.

If each machine brought in \$100 each a day times seven at five days a week it would be \$3,500 a week. At 50 weeks a

year, that machine would bring in \$175,000. If any of us made \$175,000 paying 30 percent taxes as everyone does whether you make \$70,000 or \$170,000, that tax base would be \$52,000. I would be certainly glad to see a business person making that kind of money and our tax base being at the \$50,000.

Let me give you one more If for some reason -- most example. businesses I agree with say they -- the ones I talk to make at least \$100 a day on it but even if it was only \$10 a day their income at the end of the year would be \$17,000, the payment to us would be \$5,000 in taxes. With this legislation, a person has all this potential and is only paying \$2,500 in taxes. That bothers me and I don't begrudge a business person making a \$175 -- I hope they all can make \$175,000 but I think if that happens or when it happens that we, the City and the tax base, should get our piece of the pie, that's why I have a problem with it so I'll be respectfully voting "no" and hopefully we can work where we can get our tax base -- get some of this money into the coffers to help our schools, our police force and all the other things that benefit the community.

The Chair:

Thank you. But, again, I think the broader issue you raise as an issue at that state legislature and the Commonwealth should deal with, this bill is not specific to so-called poker machines. It is specific to allow the small business an opportunity to have additional arcade machines whether it be a dart board, whether it be a popcorn machine, a billiard table, a juke box or a so-called machine of the type you've outline.

The issue of -- in municipalities and school boards or state government getting income I think is a very valid one. I've expressed my personal view about what the Commonwealth should do regarding this machine but that's really not an issue that's germane to the bill but I wholeheartedly cannot dispute anything you've stated and I would hope that the State Legislature would deal and resolve this issue. I think we're losing out on valuable income especially to our school districts. Mr. Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. appreciate your arguments and I believe I understand the bill. Hopefully, if this bill passes the majority of bars and restaurants that increase their type of machines will be machines of maybe a dart board or a juke box or maybe even a cigarette machine. I'm young against this bill because I believe a small amount if not a majority of the bass will be increasing their video machines.

Before this bill, I've testified at the Zoning Board of Adjustment restaurants that have been opening up in my A-1 District, both the South Side and Warrington Avenue, testifying against and restricting "x" number of video machines per restaurant so my feeling was before this bill has come about.

There's no doubt or no denying that there is a demand for video machines out there. If there wasn't a demand then we wouldn't have so many and I just believe that this bill could have a distinct possibility of increasing the amount of machines out there without a public hearing that is increasing the amount that's permitted without being an arcade. So, again, I'm going to stay consistent with my vote. I understand that this bill is not a video poker machine, Mr. President. I understand what it's going to do -hopefully do is allow a business owner to increase the number of machines or number of devices and hopefully those devices will not be poker machines but I just get a feeling that there is a distinct possibility that this could increase the amount of proliferation of machines throughout the city and I just don't want in any way to be associated or be a part of that

The Chair:

Roll call vote Thank you. beginning with Councilwoman Ms. McDonald who's about to leave the room.

The ayes and noes were taken agreeably to law, and were:

Aves:

Ms. McDonald Mr. Cusick Mr. Udin Mr. Cohen Mr. Cusick Mr. Ferlo

(Pres't)

AYES 6

NOES 3

VOTING NO:

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

The bill having received the legally required number of votes passed finally.

MR. O'CONNOR PRESENTED

Bill No. 841

Report of the Committee on Engineering & Construction for July 3, 1996, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 754

Resolution adopting Official Sewage Facilities Plan For The South Side Riverfront Housing Plan Of Property.

Which was read.

The Chair:

You have heard the reading and title of the bill is there any discussion on the bill?

Hearing none, the bill now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Mr. O'Connor	Mr. Ferlo
`	(Pres't)
AYES 8	NOES none

The bill having received the legally required number of votes have passed finally.

That concludes our Reports of Committees. Under Motions and Resolutions any matter to be brought before the body?

Just very quickly. We have initiated a budget summer process separate and distinct from the Competitive Task Force which Mr. Udin and Mr. Salac sit on. We need the expertise and leadership and seasoned involvement of colleagues especially Mr. Cohen who has been very active in the past on budget matters. We need input and we've asked that those meetings be established. We'll probably use the Council conference room and they're open to all of colleagues to engage in this discussion around the budget prior to the Mayor's preliminary budget address, the middle of November. So, I would ask that my colleague, Mr. Udin, keep us informed of those meetings.

Mr. Udin:

I want to just say something to my colleagues on Council here. The last two weeks, as you know, have been a very intense two weeks in the City of Pittsburgh and the Members of Council have resisted what had to be, I think, overwhelming of temptation to weigh in on this issue which probably would have only fanned the flames. But they did resist and I think that as a result, the city is less divided than it would have been had they weighed in and I want to thank my colleagues on Council, all of them, for their postures in the last couple of weeks.

The Chair:

Thank you very much. Other discussion? Again, colleagues, we do have a public hearing this evening at 6 o'clock. I believe the public hearing is at Reizenstein concerning the Police Civilian Review Board proposal. I would also remind our colleagues, those that are interested, the Planning Commission is holding a public hearing beginning at 2 o'clock. I don't know why they're jamming all these issues together because they're dealing with the Communication Towers Bill that we've introduced. Mr. Onorato has a bill, I have a bill, the Administration has a bill. They're dealing with the group home issue, Mr. Onorato has a bill, I have a bill. They're also dealing with amendments to the Zoning Code so they're going to probably be there for a night and a day but in any event that public hearing in the Planning Commission is this afternoon. If there are residents that want to speak on the issue of either neighborhood rezoning and the rewrite of the zoning code or group homes or communication towers, it's this afternoon at 2:00 in the Planning Commission, First Floor of the Ross Street Building at 200 Ross Street.

With that, we need a motion to approve the minutes unless there is any other comments. If not, a motion to adjourn.

MR. CUSICK moved to approve the Minutes of Tuesday, July 3, 1996.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

And on the motion of MR. CUSICK

Council adjourned.

Sandra L. Washington

ADDENDUM

- Councilman Jim Ferlo comments on Bill No. 370 can be found in the Standing Committees Meeting minutes of July 3, 1996.
- Councilmen Onorato, Cusick and Ferlo comments on Bill No. 371 can be found in the Standing Committees Meeting of July 3, 1996.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXX

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No. 29

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.......Deputy City Clerk

Pittsburgh, PA Tuesday, July 16, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. Onorato (Pres't)

The Chair:

Good morning, everyone. City Council Legislative Session will now come to order.

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very please this morning to have Darby Shields. Darby is a 13-year-

old student at Winchester-Thurston School. His mom and dad are here, Karen and Barry Shields and the name sounds familiar, they being related to Doug Shields and they obviously are in Councilman Bob O'Connor's District.

And, Darby is going to lead us in the Pledge of Allegiance. Darby.

Darby Shields:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Darby, we appreciate you taking a break from your summer free time to come down here and lead us in the Pledge of Allegiance, and our City Clerk would like to present you with the flag of our great City and the flag of our nation. Thank you very much and thank you to your mom and dad also.

PRESENTATIONS

The Chair:

We have a number of guests in the audience this morning and I'd like to ask our distinguished delegation from the Three Rivers Regatta, Mr. Connelley,

Ms. D'Errico and our Shop 'n Save super value Kathy person to come forward. If you want to come forward, please.

Well, obviously colleagues this is an annual event and this is annual privilege and obviously this is done not by Councilman Ferlo but indeed this is a proclamation that each and everyone of us on this City Council is proud to be offering here today because all of us unanimously are fully behind and applaud this tremendous event.

THE CHAIR PRESENTS

No. 842 WHEREAS 1996 1996 Shop 'n Save Three Rivers Regulta, cosponsored by the Greater Philippurgh Pontiac Dealers, is celebrating its 19th Anniversary with an expanded six days "Taste of Summer" celebration on Saturday July 27th - Sunday July 28th and Thursday. August 1st through Sunday August 4th; and

WHEREAS, under Eugene F. Connelly, Founder, President and General Chairman of the Pittsburgh Three Rivers Regatta, what began as a small riverside festival has grown to become the largest inland regatta in the United States attended by over one million people annually; and

WHEREAS, the 1996 Shop 'n Save Three Rivers Regatta features a plethora of high quality free family entertainment including the Regatta Land Parade led by the Budweiser Clydesdales and the Mummers, the largest spectator powerboat race in the world - the Bud Light Grand Prix, the new Thundering Drag Boat Races, the Hot Air Balloon Races, the Sunoco Anything that Floats Race, the Shop 'n Save Children's Village, the USAir Air Shows, and the Shop 'n

Save Rubber Ducky Race and the Pepsi Concert Series featuring Lee Roy Parnell, Johnny Angel and the Halos, Jimmy Beaumont and the Skyliners and Lou Christie, amongst many others; and

WHEREAS, Mayor Tom Murphy has been named "1996 Riverperson of the Year" for his leadership as a friend of the waterway and for making riverfront development a priority of his administration.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the President and General Chairman of the Three Rivers Regatta, Eugene F. Connelly, Executive Vice President Ida M. D'Errico, the dedicated and capable Regatta staff, all of the business sponsors, and the many volunteers who work diligently to make the Regatta a success each year; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare July 27 - August 4, 1996 as REGATTA WEEK in the City of Pittsburgh.

SPONSORED BY COUNCIL MEMBERS JIM FERLO, DAM COHEN, JOE CUSICK, ALAN HERTZBERG, VALERIE MCDONALD, BOB O'CONNOR, DAN ONORATO, GENE RICCIARDI AND SALA UDIN.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Motion carries, it is unanimous. And, again, this proclamation is being offered by all of our colleagues, folks.

And, these folks here to my left are certainly no strangers to City Hall nor to the City government and we collectively just want to say thank you, Gene, and all your staff and all the great people that make this a great event.

I think every once in a while it seems like once a year the moon and stars and sun all get together and they line up right over the Three Rivers and for some reason that week seems to be the event none as the Regatta. Everything seems to be running smoothly, everything comes together. It is a world class event and I think we're very proud here in the City of Pittsburgh to be hosting it.

What I'm amazed about each year, having been around now for a number of years, it just seems like each and every year it seems to get bigger and better and more grandiose and more exciting and more diversified with their events.

I'm also very appreciative and I want to applaud the leadership of the Regatta this year for the fundraising aspect, the Rubber Ducky project, which really reaches out and is for a very worthy initiative to help individuals in our society and in the region and I want to applaud for that diversion a little bit but it's an exciting event that I hope you'll talk a little bit about.

So, I'm going to first call on the great Chairman of the Board, Mr. Connelly and I do want to ask Ida to come up and also Kathy. Mr. Chairman.

Mr. Connelly:

Thank you, President Jim and fellow colleagues. It's delightful to have the support that we have from City Council all the time and we do have a world class event and it's expanded this year. We're going to have a lot of new additions. Next year is going to be our 20th Anniversary, so we're already anticipating the things that we can do and we will be doing for next year.

I have two better qualified people than I to be spokesmen on behalf of the Regatta. The one thing I would like to say, it's a free event, please come down, enjoy it. It brings tourism into the City of Pittsburgh, to the County of Allegheny and the State of Pennsylvania by in excess of one million people annually and this year we should far exceed that number so I would like to introduce the Executive Vice President and the lady that's really behind the scenes that operates and runs everything and it's Ida D'Errico, the Executive Vice President.

Ms. D'Errico:

Thank you. As Councilman Ferlo and Mr. Connelly said, we are expanded to six days and we have worked very hard since the end of last year's event to develop eight new events so it's very true when we say we're getting bigger and more grandiose in scale is absolutely true. We will probably have the largest drag boat race in the entire United States. Right

now, we had to acquire an entire parking lot to hold over 100 boats and they will come from probably nearly every state in the union on August 3rd and 4th to supplement the largest spectator power boat race in the world, the Bud Light Grand Prix, on the first weekend of the Regatta.

The Regatta truly does have something for everyone and we are probably the only festival in United States where every single attraction is absolutely free and all of our attractions are of the highest quality that we can attain through our sponsorships. And we have a running race this year, a mailing to all the folks who participated in the Great Race and the marathon.

The Rubber Ducky Race is very new and very exciting with the support of Shop 'n Save's 96 stores and the hundreds of thousands of dollars that they're spending weekly to drive traffic from a four state area into Pittsburgh. Again, creating tourism and driving economic development for our region.

The Rubber Ducky Race -- the purchase of the ducks at \$5.00 a duck will allow the owners to potentially win exciting prizes, a truck and boats and things but most importantly the money will go to fund two very important charities selected by Shop 'n Save, D.A.R.E. and the Rehabilitation Institute's Childrens Miracle Network.

I also would like to point out that there are other aspects of charity association that we will showcase as we move into the Park. Our T-shirt sales which is the first Regatta licensing agreement and the first for a festival of our kind in the region, the beneficiary will be the Family Health Council. And also Cystic Fibrosis will benefit from beverage sale and Point State Park as well. So, we're very excited to fold in charities where nonprofit but to bring more back to the community is our mission and we look toward all of you, the Members of City Council and the community leaders to tell us what you would like to see for the 20th We've added a Senior Anniversary. Citizen's Day this year. We've built an entire children's village and next year is the 20th, so bigger and better is where our direction is going and we will start immediately after this is over, we don's get much time to rest.

We thank you very much for allowing us to be here today, we would like our friends at Shop 'n Save, through Kathy Svilar to say a few words because without their title sponsorship support we could not take the Regatta to higher levels each year so Kathy.

Ms. Svilar:

Now, since Jim and Ida and Gene said it all, I'm use to speaking in 30 second sound byte. Do you know what I mean guys, sound bytes. I'm just going to say thank you very much, the City of Pittsburgh. As the Shop 'n Save representative, we are thrilled to be involved. See you there. "You gotta Regatta".

The Chair:

I'd like to ask my colleagues to get a group picture. They requested a group picture so try to move this along quickly. Thank you. We haven't done this for the Regatta, I would like to have a group shot. Thank you.

And, also, we see the beautiful poster this year. The poster is sold as an art piece and that money also goes to fund education activities.

Thank you, colleagues. And, again, thank you to our special guests from the Regatta who do one heck of a job and I know they didn't point it out but even when this event ends, the next day they have to begin with the following year's event and I think it's an exciting offer from the Regatta staff making the offer to us to come up with ideas on how to make the 20th Anniversary even bigger and better so if there are residents who would like to suggest ideas, please communicate to your respective Council Member.

We have other guests in the audience today and at this time I would like to call on Councilman Dan Cohen.

Mr. Cohen:

Thank you, Mr. President.

The Chair:

Thank you, Councilman.

Mr. Cohen:

Good morning, everyone. Would the folks from Pittsburgh Cares please come up.

It's a little bit unusual because this proclamation is after the fact but let me tell you why I've decided to give this proclamation to Pittsburgh Cares.

I was invited by a friend of mine to come to an event. This was an event that took place at many many different locations around Allegheny County. happen to be at a juvenile center in McKeesport where Pittsburgh Cares which is a network of volunteers did a tremendous amount of work, charity work. for nonprofits all around Allegheny County. In fact on that day, among other things, they put in 1400 hours of hand's on volunteer service and did things such as moving 20, 3 tons of sand for a beach. Wait, which one -- you worked on the beach, yes. Put together a picnic table I believe. We're going to have to see that, make sure it's leveled. Twenty-eight flowers were planted, 72 hundred pounds of food repackaged, a lot of things were done on that day and it was done for the benefit of the larger community and it was done by a group called Pittsburgh Cares and I'm not sure if everyone knows about Pittsburgh Cares but if they do, that's great. If they don't, please listen to this proclamation.

MR. COHEN PRESENTS

No. 843 WHEREAS, Pittsburgh Cares is a non-profit organization which develops worthwhile short-term team community service projects; and

WHEREAS, Pittsburgh Cares held its first annual Servathon, Pittsburgh Cares for Kids Day, on June 1, 1996; and

WHEREAS, the Pittsburgh Cares Servathon utilized 280 volunteers to complete 20 community service projects throughout Allegheny County; and

WHEREAS, the community service projects included repainting

classrooms and play areas, planting flowers, escorting children to games and events, repackaging food, and building nature trails; and

WHEREAS, the Servathon was also a very successful fundraiser which raised almost \$20,000 for Pittsburgh Cares.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the good work of Pittsburgh Cares and congratulate it on the success of its first annual Servathon.

SPONSORED BY COUNCILMAN DAN COHEN

MR. COHEN moved to adopt the resolution.

 $\label{eq:MR.CUSICK} \textbf{MR. CUSICK} \quad \text{seconded} \quad \text{the motion.}$

Which motion prevailed.

Mr. Cohen:

Thank you very much Members of This organization really is a terrific organization and it allows people who really don't have the time to put in hours and hours every week to contribute to their community and do it in an organized way. So, we have with us today the Director of Pittsburgh Cares, Carolyn Falk and we have three volunteers, Sandy Andrews, another Sandy, Sandy Samaria and Debbie DiBucci, all of whom volunteer for Pittsburgh Cares. Carolyn, why don't you come up here and accept this proclamation on behalf of City Council of the City of Pittsburgh. Congratulations.

Ms. Falk:

Thank you very much. On behalf of our 900 volunteers, I would like to thank City Council for recognizing the work that we do year 'round as well as on our first annual Servathon, which was Pittsburgh Cares for Kids Day on June 1st.

We're already planning next year's event and we're tentatively planning that for May 31st next year for Pittsburgh Cares Day and hope that you allot more work in between now and then and also on that day.

I brought out some of our volunteers today to talk about their experiences that they had on June 1st of this year. We have Sandy Andrews who represents Anderson Consulting. They helped to sponsor the day and also sent a team of volunteers out and Sandy Samaria who is from State Farm Insurance and they also sent a team of volunteers and helped us sponsor the day so I'll let them tell their stories.

Ms. Andrews:

Pittsburgh Cares Day for kids was a wonderful event. Anderson Consulting was able to provide a team of eight volunteers and we went out to the Pittsburgh Greater Community Food bank and repackaged food. Not only was it a day that we could help out the community but it was a day that people in our firm could get to know each other in a non-work environment so it was two-fold that we helped out the city and our firm was very excited that we could again participate with the city. We had worked on the one on Vine and this just helped to

build our community support of the Pittsburgh area and we're looking forward to helping out in the event next year.

Ms. Samaria:

State Farm asked me approximately a year ago to head up a volunteer committee for Pittsburgh Cares and at that time I really didn't know what Pittsburgh Cares was and was a little bit nervous about getting involved but I also knew I wanted to be a volunteer in some capacity.

I've since then participated in a number of events, including the Arbelee House and Friends of the River Front and most recently the Pittsburgh Kids for Kids Day where we had over 20 volunteers participating in the Zoo Project, the National Aviary, the Center for Creative Play and a few other projects.

Some of the feedback I got from the people I work with was the same as Anderson, that they got to know each other better, they got to be a part of the community that they really didn't feel or had known was — that needed our support and it proved to be both an educational and inspirational day for everyone and we look forward to participating next year. Thank you.

Mr. Cohen:

I just want to thank you all very much and maybe we'll even get some more Council Members involved when Pittsburgh Cares comes around next year but I just want to thank you for all your good work on behalf of the community and keep up with the good work. Let's a picture right here.

The Chair:

Thank you, colleagues. That concludes our Read and Adopted resolutions. Moving to Presentation of Papers.

MR. COHEN FOR MR. CUSICK PRESENTED

No. 844 Resolution Providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizens Facilities and/or Management Agreements for providing center services to Senior Citizens in an amount not to exceed \$125,000.00 chargeable to and payable from SCPTF, Senior Citizens Program Trust Fund.

Also,

No. 845 Resolution providing for Contract or Contracts, Agreement or Agreements, Lease or Leases or the use of existing Contracts, Agreements or Leases for the payment of supplies, equipment, materials, rentals, salaries and other services required to provide center services for the HACP Recreational and Senior Citizens Program in an amount not to exceed \$1,065,000.00, chargeable to and payable from 4-10-40-0020-96-545-96-10, Housing Authority, Recreational and Senior Programs, index code 618405, and for payment thereof.

Which were read and referred to the Committee on Parks, Recreation & Youth Policy.

MR. HERTZBERG PRESENTED

No. 846 Resolution providing for the letting, during the calendar year 1997, of contracts and for the use of existing contracts for the maintenance rental, rehabilitation, renovation, inspection or servicing of personal property, and also for bonding, insurance, printing and other related services, and for the maintenance and repair of buildings, structures or any other properties in the custody of the various Departments of the City of Pittsburgh, and for any miscellaneous services in and for any or all Departments of the City of Pittsburgh, and providing for the payment of the costs thereof.

No. 847 Resolution providing for the letting of contracts and the use of existing contracts for the purchasing of materials, general supplies, and equipment by various Departments of the City of Pittsburgh, during the calendar year 1997, and providing for the payment of the costs thereof.

Which were read and referred to the Committee on Lands, Buildings & Procurement.

MR. RICCIARDI PRESENTED

No. 848 Resolution granting unto William Lester, 1701 Suburban Avenue, Pittsburgh, Pennsylvania 15216, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, an off-street parking area and fence on a portion of the right-of-way of Milo Street in the 19th Ward, 4th Council District of the City of Pittsburgh.

Also,

No. 849 Resolution granting unto Central Auto Body, 4601 Irvine Street, Pittsburgh, Pennsylvania 15207, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a building addition on a portion of the right-of-way on Tullymet Street in the 15th Ward, 5th Council District of the City of Pittsburgh.

Also.

No. 850 Resolution granting unto the Pittsburgh Thermal Limited Partnership, 111 South Commons Avenue, P.O. Box 6929, Pittsburgh, Pennsylvania 15212, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a vault on a portion of the right-of-way on Ridge Avenue in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 851 Resolution granting unto The Theatre, 5520 Walnut Street, Pittsburgh, Pennsylvania 15232, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a canopy over a portion of the right-of-way on Walnut Street in the 7th Ward, 8th Council District of the City of Pittsburgh.

Also.

No. 852 Resolution granting unto Buon-Giorno Cafe, Louis Martorella, 6 Smithfield Street, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on

Court Place in the 1st Ward, 6th Council District of the City of Pittsburgh.

MR. UDIN PRESENTED

No. 853 Resolution providing for the creation of a Downtown Pittsburgh Business Improvement District for the area shown on Exhibit "A" at the behest of the Pittsburgh Downtown Partnership, a coalition of property owners, business leaders, retailers, civic organizations, and residents.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR., RICCIARDI seconded the motion.

Which motion prevailed.

Also,

No. 854 Resolution providing for the issuance of a \$1,022.69 warrant in favor of Oncord, Inc. c/o Norman Parker in settlement of claim for an accident involving a City vehicle.

Also,

No. 855 Resolution providing for the issuance of a \$1,374.30 warrant in favor of Mijann Gellerman in settlement of claim for an accident involving a City vehicle.

Also.

No. 856 Resolution providing for the transfer from Department of Finance Code

Account 1063, Miscellaneous Services, Index Code 106302, to Department of Finance Code Account 1063-1, Education and Travel Expenses, Index Code 106310, Fifteen Thousand Dollars (\$15,000.00). Also.

No. 857 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Pittsburgh Water and Authority for the purpose of providing collection services for the City's delinquent sewage accounts; and further providing for Memoranda Memorandum of Understanding between the City of Pittsburgh and Allegheny County Sanitary Authority authorizing Pittsburgh Water and Sewer Authority to perform collection services for the City of Pittsburgh.

Also,

No. 858 Resolution amending Section 1 of Resolution No. 143, approved March 26, 1996 and effective March 27, 1996, entitled, "Authorizing an agreement or agreements with Natalee Hillman for professional consulting services in connection with the Unisource 2000 project," by increasing the total contract allocation by \$13,125.00, from \$7,000.00 to \$20,125.00.

Also.

No. 859 Resolution amending Resolution No. 235 of 1996 entitled "Providing for an agreement or agreements with various agencies for job development and employment services in connection with the 1996 Neighborhood Employment Program and providing for the payment of the costs thereof" by increasing the

amount available for subcontractor agreements by \$100,000.

Also,

No. 860 Resolution further amending Resolution No. 504 of 1995 as amended by Resolution No. 239 of 1996 entitled "Providing for an agreement or agreements with various agencies and authorization to make all legitimate expenditures for wages and fringe benefits supervisor/participant. workers' compensation, unemployment compensation. participant physicals, transportation, copier, supplies, related outreach and recruitment costs, and administrative expenditures necessary to implement the 1995/1996 Partnership/Summer Pittsburgh Youth Employment Program; providing for the periodic transfer of funds to reimburse for expenditures and providing for the periodic payment of costs incurred in the 1995/1996 Pittsburgh Partnership/Summer Youth Employment Program" thereof by increasing the amount available for the 1995/1996 Pittsburgh Partnership/Summer Employment Program Youth bv \$360,000.00.

Also,

No. 861 Further amending Resolution No. 507 of 1995 as amended by Resolution No. 246 of 1996 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the

Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, and providing for the deposit of funds into a bank account" by decreasing the amount available for subcontractor agreements by \$850,000.00. total costs shall not exceed \$4,772,267.00 chargeable to and payable from the JTPA-1 Trust Fund, Index Code 260307.

Also,

No. 862 Resolution providing for the filing of an application or applications by the City of Pittsburgh with Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Single Point of Contact Project Plan; providing for required assurances; providing for execution of payment vouchers and for certification authorized signatures; providing for a contract or contracts with agencies/employers services for and programs related to training and employment for the Joint Jobs Initiative Program projects; and providing for the deposit of funds into a bank account.

Also,

No. 863 Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the

execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers for services and programs related training and to employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account.

Which were read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED

No. 864 Resolution providing for the issuance of a warrant in favor of American Legal Publishing Corp. in the amount of \$16,936.00 in payment for the reformatting and supplementing of the Pittsburgh Code, for the years of 1994 and 1995, chargeable to and payable from Code Account 1003, Miscellaneous Service, City Council. (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

The Chair:

That concludes our Presentation of Papers. Are there any matters to be brought before the body under Unfinished Business or Reports of Special Committees? Hearing none, moving to Reports of Committees.

REPORTS OF COMMITTEES

The Chair:

Beginning with the Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman Udin.

MR. UDIN PRESENTED

Bill No. 865

Report of the Committee on Finance and Budget for July 9, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 733

Resolution authorizing the Allegheny County Residential Finance Authority to operate within the City of Pittsburgh, thereby giving the Finance Authority permission to enter into agreements to refinance certain—residential properties within the City of Pittsburgh. Such properties are already owned and operated by Residential Resources, Inc., a non-profit corporation which provides housing for individuals served by the Allegheny County Mental Health and Mental Retardation system. The purpose of the refinancing plan is to achieve lower interest rates on mortgages held by Residential Resources, Inc.

Which was read. Also,

Bill No. 782

Resolution providing for the transfer of \$963.00 from Code Account 1035-1, Index Code 10315, from the Commission on Human Relations Education and Training Code Account, to Code Account 1034-1, Index Code 103416, Premium Pay, Commission on Human Relations.

Which was read.

Also,

Bill No. 783

Resolution providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of \$1,647.91 in payment of emergency work to de-energize and restore electric service to the Public Safety Building; and providing for the payment of the cost thereof.

Which was read.

Also.

Bill No. 794

Resolution providing for the issuance of a \$912.54 warrant in favor of Stephen J. Shanno in settlement of claim for an accident involving a City truck.

Which was read.

Also,

Bill No. 795

Resolution providing for the issuance of a \$1,500.00 warrant in favor of Ron and Linda Sacco in settlement of a claim for personal property damage due to sewer back-up.

Which was read.

Also.

Bill No. 796

Resolution repealing Resolutions, approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984.

Which was read.

Also,

Bill No. 797

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale And Collection Act", effective December 11, 1984.

Which was read.

Also,

Bill No. 798

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984. "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

On Bill 733 regarding the Allegheny County Residential Finance Authority, this would be Council's approval which is legally required by this legislative body to allow the Finance Authority — this is for Residential Resources Group Home Organization to continue to operate in the city.

I've asked that Council please consider an amendment which is on the floor. I'd actually asked for a further amendment of the bill.

I believe even though a couple of individuals voted no on the principles that we talked about at the committee session and the rest of us voted in favor, I believe there was strong sentiment expressed by the majority about the manner in which group homes continue to expand and proliferate in the city as opposed to the county and within the city those so-called problem group homes where there seems

to be a problem with the conduct, not the necessarily individuals who happened to be housed there but the conduct, the manner in which the facility is run by the particular agency and we have extremes. We have some neighborhood based alternative living arrangements that are great and we have others that seem to be a problem in the neighborhoods for a variety of reasons.

Now, I don't know if I just fell out of a tree but the Administration, Ms. Foster in particular, said I thought emphatically that this money was only to be used to refinance existing debt and yet if you look at Section B, it says the acquisition of additional residential properties which will be used for the same purposes.

I've drafted an amendment which would clearly state that approval -- you have an amendment on the table, I believe

Mr. Onorato:

- which was that?

Mr. Ricciardi:

Section B.

The Chair:

I'm sorry. Bill 733, the top sheet. If you look at the second paragraph, "Whereas" about seven sentences down, it's listing the categories that these funds will be used for. It explicitly states there, "(B) The acquisition of additional residential properties..." Now, that flies in contradiction directly from what was portrayed to this Council at the table and I

just want to make at clear, I'm not opposed necessarily to Residential Resources acquiring more property but the point that they do that, I would strongly suggest especially since the Planning Commission is lagged behind on our zoning bill on group homes that we enter into some agreement regarding conduct. I'm not saying that we should ston individuals from acquiring alternative living facilities, residential facilities in the city, but until there's better coordination by the County -- we heard testimony that you could have competing agencies buying on the same property or purchasing two properties right next door to each other, never to have discussion or understand what the impaction issues are.

There was never once have I been contacted as а District Council Representative. I think on one occasion and that's only because it was a church based facility and they wanted to -- Saint Aug's, and they wanted to provide it to the Whales Tale and to Western Psyche. Only one time have I ever been contacted and if you look around the city, most neighborhood groups, adjoining property owners, they're never contacted by these agencies when there is interest in the property as far as acquiring it, never properly notified about special exception hearings before the Zoning Board. So, I don't think we should let this bill go today on a final vote unless we possibly approve the amendment. I would ask for consideration. I would further ask that amendment that is in writing also include a striking of Item B in the resolution --

Mr. Udin:

-- so move.

Mr. Chair:

Well, let's make a motion to suspend the rules because I don't have the second part in writing

MR. UDIN moved to suspend the rules.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

The rules are suspended. The one part of my amendments on the table that you have before you, it's written. I would only add the language that we are striking Item B under the second paragraph "Whereas" which reads, "(B) The acquisition of additional residential properties which will be used for the same purposes". That will be struck from the resolution. So, that is actually the amendment. Is there an offering of the amendment?

MR. UDIN moved the amendment.

MR. ONORATO seconded the amendment.

Which motion prevailed.

The Chair:

Discussion on the amendment. Councilman Cohen then we'll go right down the line. Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. I would not necessarily be against Section B that is in this legislation except for the

fact that we were told in clear and uncertain terms that this was not contained in here. That this is simply a refinancing of currently existing property and not to acquire new property. Had they been straight with us from the beginning and said this is also to refinance -- to acquire new property and use the refinance -- the money that we save from the refinancing to acquire new property, well I would have been openminded about that but we were told the opposite. That being the case, I support this striking of this clause because it contradicts what they said at the table. So, I support it.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. I think we're kind of over reacting here. I think that the clause that you're proposing to strike I don't think it's going to be fatal. I don't have a problem with it but it's one of the "Whereas" clauses that's just reciting what's going on here.

The Chair:

I'm only striking the one section, B, not the whole "Whereas".

Mr. Hertzberg:

Right, it's not actually the legislation itself. Anyway, it's a mere recital of what will be done with the notes that this Residential Finance Authority is going to issue, what will happen with the money once they get the funds that the note represents.

I'm going to ask that my comments from Wednesday to be brought forward on this bill. Also, I have the July 3 letter from the law firm of Eckert. Seamans, Cherin & Mellott from Michael R. Stabile Jr. The last paragraph states, "although it is possible for the City of Pittsburgh to elect to be within the field of operation of the Allegheny County Residential Finance Authority for all purposes and for as long as the Residential Finance Authority is in existence, it's my understanding that the City prefers to limit its inclusion in the Authority's field of operation on a project-by-project basis in order to permit the City to have more control over the projects which the Residential Finance Authority finances in the city. As a result, the legislation which submitted requests approval for specific residences. If additional projects are to be financed in the future, it will be necessary to request the adoption of another resolution." And, that's the resolution as it stands now. In other words, it's already limited. If you want to put another statement in there that says it's limited again, that's fine with me. I don't know that it's necessary and I also suggest, Mr. President, a friendly amendment to the amendment in the Number 2 here. I think you have it written as, it shall in no way be construed as approval. I would suggest that you might want to change that word to support what we would and wouldn't approve that they would do but I throw that out. I'll be voting in favor either way.

(REMARKS--SEE ADDENDUM)

The Chair:

Other discussion. Councilwoman McDonald then Councilman Onorato.

Ms. McDonald:

Yes. Just to say that I do approve the amendment. Again, I see no problem with it, Mr. President. If there were acquisition of additional residential properties or what have you in the future that can be a separate item of consideration but not one that is fitting in with this allocation or this approval of monies. So, again, I have no problem with the spirit of this amendment because I do think that the public needs to understand that we don't want a proliferation without any kind of cap, without any kind of controls of types of alternative residential facilities but at the same time I think this Council body, I know I can speak for myself, and I know that you have that heart and compassion to understand that we do need alternative residential facilities because these people live in the city and we just need to provide that for them so it's a balancing act. Thank you.

The Chair:

Thank you. Councilman Onorato.

Mr. Onorato:

Obviously I support the amendments and if they pass -- well, regardless if they pass, I'll still vote "no" on the bill. I want my comments brought forward. I believe that the lack of coordination coming from the County is a deliberate move. The chaos is part of the grand scheme. They don't want all these groups coordinating their efforts because

they know with chaos they continue to do what they're currently doing and that is flooding certain areas and it's not just the city, certain areas within the city but there's certain suburban areas where the real estate property is very — the property value is very stagnant and the path of least resistance argument continues there and they continue to flood those areas too.

The City has definitely stepped forward and done it's fair share to provide a very needy service to the residents of Pittsburgh and the residents of Allegheny If you would do a cross-County. reference to see the individuals that are living in a lot of these institutions, you would be surprised that they're not coming from the neighborhoods where they're located. Some of them aren't even coming from the city. anyone here thinks that this is about people with handicap having their free access and choice to decide where to live, it's nothing like that. What it is, is giving them the choice to move wherever these programs tell them they could move within their choice.

This is not like a Section 8 voucher where you can walk around and go to a private landlord. This is an institutional plan. Instead of being in one building, it's done by a couple boards and nonprofit groups that decide where to buy buildings. They're using tax dollars, the dollars are dictating where these buildings are going to go and I don't believe that the policy that's currently in place is very good for the City. In the long run, it's going to continue to attack our tax base.

We heard testimony last week that the best that we could get out of them is that they're paying something in lieu of taxes that might come close to half of what the taxes would have been if it was on the tax role. That's even a bigger insult. If they're really going to provide the services and people can live where they want, put these buildings back on the tax roll like a private landlord would do and that you rent to anyone.

We are not talking about equal protection here. We're talking about special protection. We are going above and beyond equal protection here. This is more than a protected class. Not only are these individuals that are using the services being pushed into certain neighborhoods but the landlords are getting a benefit. They're not even paying their fair share of the real estate taxes as though if I went on a building and want to rent an arm length transaction to a tenant, I would still have to pay the City the taxes. I think at the minimum they should at least pay their fair share because once again we deal with the problems of the lack of supervision in some of these facilities and on top of it we lose the tax revenue that should go with that building or use to be with that building. There's two specifically listed here under Item 1 that are in my district that I had problems with and that one, I had no idea they were going there and then after the fact I had some problems with them and for that reason alone I'm voting "no". I don't think the process they used was right. I don't think the number of people they put in here was appropriate. I think it's way over for what the zoning should have allowed in these districts but we're losing on that argument and this is the only chance that I have to make a stance and our only leverage so I would ask and hope that my colleagues vote "no" on the bill.

The Chair:

Thank you, Councilman. Other discussion? Roll call vote on the amendment as amended and revised.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms McDonald Mr. Ferlo
(Pres't)

AYES 8

NOES 1

(MR. ONORATO VOTING NO)

The bill having received the legally required number of votes passed finally.

The Chair:

The bill as amended. I would like my comments brought forward.

Other discussion on the bill? Councilman Cohen.

(REMARKS--SEE ADDENDUM)

Mr. Cohen:

I would just like my comments brought forward from last Wednesday, Mr. President.

(REMARKS--ADDENDUM)

The Chair:

Hearing no other discussion. All the bills under this committee are up for final approval. If you are in favor of the bills, please vote "aye" when your names are called; if you're opposed, vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES 9

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Public Works, Water and Environmental Services, Councilman Ricciardi:

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you, Mr. Ricciardi.

MR. RICCIARDI PRESENTED

Bill No. 866

Report of the Committee on Public Works, Water and Environmental Services for July 10, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 786

Resolution providing for a contract or contracts, or the use of existing contracts for the purchase of play equipment, safety surface, and related equipment/materials for the renovation of play areas at Cliffside Parklet and Marshall/California Parklet, and providing for the payment thereof.

Which was read.

Also.

Bill No. 787

Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the repair, maintenance, improvements and emergencies at various parks and park facilities in CD areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof.

Which was read.

Also,

Bill No. 788

Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of play equipment and play area safety improvements including the cost for the supervision of the installation of the equipment for Fort Pitt School Playground, and providing for the payment of the cost thereof.

Which was read.

Also,

Bill No. 789

Resolution providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of play equipment and play area safety improvements at various parks and park facilities in CD areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof.

Which was read.

Also,

Bill No. 790

Resolution granting unto Shari Kubitz, 1267 Duffield Street, Pittsburgh, Pennsylvania 15206, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, a portable wheelchair lift on a portion of the right-of-way on Duffield Street in the 10th Ward, 7th Council District of the City of Pittsburgh.

Which was read.

Also.

Bill No. 791

Resolution granting unto Arleen R. Wolf, 930 Lilac Street, Pittsburgh, Pennsylvania 15217, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, a fence on a portion of the right-of-way on Iola Way in the 15th Ward, 5th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 792

Resolution granting unto The Pittsburgh Cultural Trust, 125 Seventh Street, Suite 500, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, to place plaques on tree grates at various locations on a portion of the right-of-way along Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bill? Councilman Onorato.

Mr. Onorato:

Just one and this might have been answered last week I just can't recall and I'm not even sure whose district it is. On Bill 788 where it says Fort Pitt Playground, is that a City-owned

playground or if it isn't, what's the arrangement?

The Chair:

Actually, this work was already done. This is the School Board's building, Fort Pitt School on the top of the hill in Garfield. It was worked on partly by the City and also a community effort, basically a community-built effort and there was some destruction to some of the play equipment which has been replaced but it's School Board property but it's our playeround. Fort Pitt Field it's called.

Mr. Onorato:

And, is that normal procedure -- do we take care of this? I'm just wondering because I know of other playgrounds that are owned by the School Board --

The Chair:

The School Board has a variety of playgrounds or play areas. Depending on what happened historically, we either have greater involvement or a lesser involvement. For instance, at Liberty School Shadvside we took in responsibility, Councilman Cohen and others, led an effort to do a playground renovation there. Arsenal Park, the School Board owns the football field there and they're responsible for the stands and all that although we do some work on the lighting in the fields.

It's not clear to me how these things got broken over the years but there seems to be a variety of different arrangements with the School Board regarding the use of the fields. I know on the North Side there's some beautiful fields that are connected to schools and in some places the school has responsibility and some places we have. I don't pretend to understand how that developed over the years, maybe that's something we need to look at but the fact of the matter is we were the ones that the play equipment at the City's request because it's used by the Garfield community.

Mr. Onorato:

Okay.

The Chair:

Councilman Udin.

Mr. Udin:

I think that Councilman Onorato points to a valid area of inquiry to the different contractual relationships that exist concerning playgrounds. Some are concerned with the School Board, some are concerned with the Housing Authority. There are a variety of difference kind of interconnections and I'm not sure we as Council are always clear on what the various maintenance and contractual arrangements are, who's responsible for I know that the community generally assumes that all playgrounds are the responsibility of the City and often times it's difficult to respond to community requests because we don't know exactly which playground's arrangements and contracts have jurisdiction over what. I think sometimes the Water Department is included so it would help I think if someone either Parks and Recreation or Public Works or Engineering and Construction, someone could kind of develop a matrix of responsibility so that we could know who's responsible for what at any given playground.

The Chair:

Thank you. Obviously based on Councilman Cohen's bill, hopefully most of that matrix should already be done because there's supposed to be the inventory of the condition of each respective play area. Presumably, that's on a list and that's the beginning of the matrix that Councilman Onorato talked about but I think the point is well taken and you expanded on the issue of the Housing Authority play areas and it's still confusing to me where it is that we intervene versus the housing authority or somebody else so maybe we need to make a formal request and try to get this updated especially in terms of the budget proceedings and trying to prioritize what needs to be repaired and renovated.

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. audit that the Public Works Department has performed is supposed to be coming out tomorrow. The Director of Public Works has notified us last week that it will be available to Council Members and to the public tomorrow but that's a different issue. On the issue of the responsibility, who is responsible for playgrounds, it's true that every playground seems to have a different contractual arrangement but this may or may not shed some light on it. Mayor Caliguiri entered an agreement I believe it was in the late 70s with. I believe, 23 different school playgrounds whereby the School Board would continue to own the playground and the City would be responsible for maintenance of it. I know this only because of our experience with Liberty School in Shadyside where we renovated that playground and had to get through all the legal mumbo jumbo.

So, there are contracts for every one of these playgrounds down in the Law Department so if anybody has a question about a particular playground, the Law Department in its archives will have a contract for every one of them and with the School District at least many of them are the responsibility — are owned by the School Board. We won't even get into liability questions, that's a whole other separate issue but the City is responsible for maintaining them.

The Chair:

On this point if we could ask the Clerk to please communicate to the respective directors involved, Public Works, E&C as well as the Law Department and try to give Council a formal update on what these previous arrangements are either with the School Board or the Housing Authority and/or the matrix that Councilman Cohen says is coming out after two years. And, it would be helpful if it's by-district.

Other discussion? Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. My comments brought forward on Bill 787 and 789 which deal with the CD funds for playground reconstruction and repairs. At

Wednesday's meeting, I was informed that one of the parklets that was included was Mt. Washington Park which I was trying to figure out which particular parklet in Mt. Washington because I can think of at least five. It was present as being the one at the intersection of Merrimac and Woodruff for what I know as Ream In fact, since that meeting I parklet. determined from the Department of Public Works that would not be a CD eligible parklet and that there was a mistake made at the table Wednesday and that it in fact is what is officially called Mt. Washington Park which most people though would call Dilworth Park which is on Norton Street. I just want to clear that up.

The Chair:

Thank you. Councilman Cusick.

Mr. Cusick:

Thank you, Mr. President. I was wondering if maybe the Chairman of Public Works, Water and Environmental Services can get us an update of what work exactly has been done on our parks, playground equipment, and what is slated to be done and thus far has not been done? And, it seems to be that a lot of different projects that should have been underway have not started yet and whether reasons being or other financial reasons, just give us an update on where exactly we are with our parks.

Mr. Ricciardi:

I could ask the Director of Public Works to work with the user department obviously being Parks and Recreation and E&C and give us a recap of this year --

The Chair:

-- Parks and Rec doesn't know anything about the parks. I mean, we should send the request to Engineering & Construction and to Public Works.

Mr. Ricciardi:

Well, with all due respect, they are the user department and as you know they do initiate some of the priorities so I disagree with you, Mr. President. I will have to also request the Department of Parks and Recreation to have some of that "info" but I'll get it together. It's going to take several weeks though.

The Chair:

Other discussion?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 9 NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

I noticed the delegation came into Chambers today. We have some students that are a part of a summer youth program from the North Side Civic Development. I believe Jackie Hill is here, the Supervisor Program Manager, welcome. Welcome to you and all your students and thank you for participating in today's discussion.

We would like to next move to the Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you, Councilwoman McDonald.

MS. McDONALD PRESENTED

Bill No. 867

Report of the Committee on Housing, Economic Development and Promotion for July 10, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 799

Resolution amending Resolution No. 444 effective June 24, 1996, entitled Further

amending the 1992 Capital Budget "Adopting and approving the entitled: 1992 Capital Budget and the 1992 Community Development Block Grant Program; and approving the 1992 through 1997 Capital Improvement Program, by adjusting various line items conformance with City Council's 1992 Capital Budget amendments," by changing Boys and Girls Club/Smart Moves to read from \$10,000.00 to \$9,719.31, Neighborfair Kids Watch from \$3,000.00 to \$1,448.85 and adding a new line item East Liberty Supportive Housing, Inc. for \$1,831.84.--(SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 800

Resolution amending Resolution No. 445, effective June 24, 1996, entitled: FURTHER AMENDING the 1993 Capital Budget , entitled: "Adopting and approving the 1993 Capital Budget and the 1993 Community Development Block Grant Program; and approving the 1993 through 1998 Capital Improvement Program, by adjusting various line items in conformance with City Council's 1993 Capital Budget amendments," by reducing 9th Ward Youth Association \$7,000 to 0, and changing Lawrenceville Citizens Council to read \$5,000.00 to \$4,463.75, and adding East Liberty Supportive Housing, Inc. in the amount of \$3,168.16 and increasing Golden Carriage Inc. in the amount of \$4,368.00. .--(SPONSORED BY MR. FERLO)

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES 9

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you, Councilman Hertzberg.

MR. HERTZBERG PRESENTED

Bill No. 868

Report of the Committee on Lands, Buildings and Procurement for July 10, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 569

Resolution creating Natural Gas Choice Task Force to support the city's effort to draft a Petition requesting that the Pennsylvania Public Utility Commission (PUC) allow Allegheny County residents to choose their natural gas supplier by initiating an Open Access Site Pilot Program; and, at the conclusion of the Task Force's Natural Gas authorizing and directing the City Solicitor to file the appropriate petition with the PUC requesting the establishment of an Open Access Site Pilot Program for all of Allegheny County.---(AS AMENDED)---(SPONSORED BY MR. O'CONNOR)

Which was read.

Also.

Bill No. 812

Resolution providing for a contract or contracts or the use of existing contacts for HVAC modifications in the Department of General Services, Bureau of Cable Communications, and providing for payment thereof at a cost not to exceed Sixty Seven Thousand (\$67,000) Dollars.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will yote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo

Mr. O'Connor

(Pres't)

AYES 9

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Parks, Recreation and Youth Policy, Councilman Cusick.

Mr. Cusick:

Mr. President.

The Chair:

Thank you, Councilman Cusick.

MR. CUSICK PRESENTED

Bill No. 869

Report of the Committee on Parks, Recreation and Youth Policy for July 10, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 780

Resolution providing for an agreement or agreements with the Board of Public Education of the School District of Pittsburgh to install a disc golf course within Phillips Park.

Which was read.

Also,

Bill No. 781

Resolution providing for a contract or contracts, agreement or agreements, or the use of existing contracts or agreements for the payment of supplies, equipment, materials, salaries and other services in connection with the Baseball Is Great (BIG) League in an amount not to exceed \$ 97,000.00, payable from code account 4-10-01-5008-96-551-96-10, BIG League Index Code 619031, Department of Parks and Recreation, and for payment thereof.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Mr. Cusick then Mr. Ricciardi.

Mr. Cusick:

First of all, Mr. President, I would like my comments to be forward and again I'd just like to again thank Lou Polito and Sam Mastromatteo for their hard work and their staff for the B.I.G. League.

The Chair:

Thank you very much. Councilman Ricciardi.

Mr. Ricciardi;

Thank you. I just have a question on 780 and a statement on 781. Colleagues, I'm supporting bill 781 for \$97,000 to the Baseball is Great, that's our B.I.G. League. But, I just want to make it known that during the budget debate, we have budgeted \$100,000 for this activity. I guess this 97 represents a 3 percent decrease in CD dollars which is a policy decision to be made by this body and Administration. However. bv this appears resolution. that the Administration has already made their policy decision and that is to cut B.I.G. League by \$3,000. So, what I'm saying is I'll support this today but I'm looking forward to the resolution to be presented by our Chair, Mr. Sala Udin, and discuss if that's the way we're going to cut and decrease our allocations of CD dollars, 3 percent across the board or are we going to say that the B.I.G. League needs \$100,000 and the \$3,000 needs to be found elsewhere. So, what I'm saving is please keep in mind -- and I remember the discussion, this was originally \$100,000. Administration must have made a unilateral decision to cut it by 3,000 representative of 3 percent decrease in CD dollars and I'm not sure they should have made that decision before coming to this body.

On another note. On 780, I'd like to ask -- I know Mr. Cusick had a lot to do with concerning the golf course. I understand that we're picking up the maintenance repair and preservation of the course. Concerning the liability, Mr. Cusick, is it the Pittsburgh School Board or the City of Pittsburgh responsible for the liability in terms of injury?

Mr. Cusick:

I can only say that, from what I understand, when the children would be using the park, the School Board would be liable and if residents were using the park, the City would then be liable.

Mr. Ricciardi:

Thank you.
The Chair:

We have three attorneys here and I'm not an attorney but I'd venture to say that everybody's going to be liable. When and if something happens, I'm sure everybody's going to be sued because that's just the nature of the beast. I mean, this a low maintenance -- you know, it's a kind of activity that hopefully it's not going to lend itself to a lot of physical --

Any other discussion? Just to respond to Councilman. Ricciardi on the 3 percent, I did not actually know that this \$97,000 was \$3,000 less. Thank you for pointing that out. I had spoken with you on this issue and I know Councilman Udin's going to be getting around talking to each colleague. I would strongly

suggest that we not fight with the Administration on this 3 percent and that we each individually respectively decide on a 3 percent cut based on the ULO appropriation. I think if we just did that within our allocation, we can move more quickly and get this matter resolved and behind us. I hope we're not going to reopen the fight on re-prioritizing the overall CD budget. If the Administration comes forward with their plan, that's fine. I think we should honor it and relative to our 3 percent, I think it should go to each Council Member to figure out within their respective allocations how to make the appropriate 3 percent by dollar value. Some groups may take a bigger hit, some may take no hit. So, I had spoken with you and I would ask that maybe each colleague think about that and please communicate to Councilman Udin on that matter

Other discussion?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no." The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President. **The Chair:**

Thank you, Mr. Cohen.

MR. COHEN PRESENTED

Bill No. 870

Report of the Committee on Public Safety Services for July 10, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 778

Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of Self-Contained Breathing Apparatus and related equipment and accessories for the Bureau of Fire and providing for the payment thereof.

Which was read.

Also,

Bill No. 779

Resolution further amending Resolution No. 976, effective January 1, 1996, as

amended entitled "Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 2001 Capital Improvement through Program" by increasing the Fire Fighting Equipment line item allocation by One Million Dollars (\$1,000,000.00) from Five Hundred Thousand Dollars (\$500,000.00) to One Million Five Hundred Thousand Dollars (\$1,500,000.00).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. This is obviously a very large expenditure of \$1 million but it's an important one and one that certainly will be worth it I believe.

As Chief Dickinson described on Wednesday, this new breathing apparatus will allow our firefighters to obtain more air for a longer period of time during emergency situations so obviously considering it involves the safety of our firefighters. I think it's a very worthy expenditure.

The Chair:

Thank you. Other discussion?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES 9

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Mr. O'Connor.

MR. O'CONNOR PRESENTED

Bill No. 871

Report of Committee on Engineering and Construction for July 10, 1996, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 784.

Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract Contracts, or use of existing Contracts, for the Rehabilitation of Various Playgrounds, including, but not limited to Riverview Park and Frick Park and for the Reconstruction of Riverview the Centennial Shelter and for the purchase of materials and equipment for said projects; and provide for the payment of the cost thereof.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)
AYES 9	NOES none

The bill having received the legally required number of votes passed finally.

The Chair:

That concludes our Reports of Committees. Under Motions and Resolutions, are there any matters to be brought before the body?

MOTIONS AND RESOLUTIONS

The Chair:

Councilman Udin.

Mr. Udin:

I just want to bring it to the attention of my colleagues and constituents as well that this year at Ammon Pool we do not have a problem of sleeping lifeguards and rowdy teenagers primarily because the pool is empty for reasons that I have yet to fully grasp. I will be conducting some inquiry.

The children at Ammon Pool have not been able to get through the maze required to get the tags and to access the pool and to a large extent I understanding that the pool is not being used but I will be talking with the people at Parks and Recreation as well with the Chairman of the Parks and Recreation Committee to try to discover how we can modify the administration of this program so that it is not an obstacle to children accessing the public pools but that they somehow get access. I just want to let the community know and my colleagues know that there is a problem and we will be looking into it immediately.

The Chair:

Other discussion on this point? Other matters? Councilman O'Connor.

Mr. O'Connor:

We discussed that over actually the last couple of years and I was under the impression that we were going to be a lot more user friendly, evidently we aren't, and I would certainly support you and I think getting that community aware of the pool and, you know, we fought to keep these pools open so hopefully we have a system that makes it user friendly and easier for our children to use it so I certainly want to support you in that.

The Chair:

What I think -- I don't want to re-open the whole debate. You know how I feel about instituting swimming pool fees, I'm opposed to them for this very reason. I think for the amount of money we're collecting, we're creating basically a situation of forced obsoleccence.

I don't want to rehash the debate, the majority has ruled on that point but I will state when we previously approved the fees several years ago, there was a proviso that individual families and young people were supposed to be afforded an opportunity to pay at the gate and that has not happened. In most of the pools that has not happened. We still have the bureaucracy, the tags, the mailings and coming down to the City-County Building. That's no way to be user friendly to young people or their families across the City of Pittsburgh. It's penny-wise and pound-foolish.

I argue again, the cheapest form of child care safety that we have for young people throughout our neighborhoods is allow them an opportunity to use the swimming pools. Ammon to me is a tip of the iceberg. My next door neighbor, little

kid, I said to my kid Dominic, "why aren't you playing in the pool?" He was playing in his backyard. He said, "well we don't have one of those tags." I mean, the point is I wish my council of colleagues would revisit this whole issue.

Councilwoman McDonald.

Ms. McDonald:

Well, I just had my hand up to --

The Chair:

-- because I think basically what the Administration is planning is, let's create such a situation that now we can come back to Council and say "see nobody swam, let's close it, it's not being used, it's not needed." I can hear Deputy Mayor Cox in his rhetoric.

Councilwoman McDonald.

Ms. McDonald

Yes. I actually had my hand raised to register affirmative votes for the bills. I was out of the room. But, just to piggyback. Yes, Councilman Ferlo it's something that I've always been curious about because of my newness on Council. I really wasn't aware of why we even -when did we start with the tag system, how it all got started, how long it's been in effect because it's the same problem within my area is that the kids do want to swim but often times the parents do not know or the guardians do not know how to go down to City Council, how to even go about applying for a tag or paying for a tag. It's just a bureaucratic obstacle for them and if it looks too confusing or possibly intimidating, they just don't do it and you can call it what you will but that is a reality amongst a lot of people, especially people who are in disadvantage communities and disadvantage households, no race, no nothing, It just goes all across the city that there is a problem like this. So Councilman Ferlo because you have the most seniority here and I'm sure you're aware, as well as Councilman Hertzberg who chaired Parks for a long time, as to how this tag system came about.

I'm willing to work with Council, with Administration. I would like to do away with that stupid system and develop some system where people can pay. When they want to swim, let them pay to swim. If they don't want to swim that day, that's fine but develop some system that is nice and tight and efficient that we can get the dollars that are needed to maintain our pools but at the same time be more user friendly so I appreciate your comments and I'm willing to work with you on that.

The Chair:

We'll go right down the line. Councilman Cohen, Mr. Cusick, Mr. Onorato. We'll go straight down the line.

Councilman Cohen.

Mr. Cohen:

Valerie, did you bring your friends in with you today, your special applause group?

Let me just throw in my words of support here. It is an antiquated system, we've talked about this many times. It's an antiquated system that serves to prevent kids from using the pools, it just does. There shouldn't be a two step process. It should be a one step process. You should go to the pool and if you want to swim, you should be able to swim so long as you satisfy the eligibility, you know, the very minor eligibility requirements.

So, Mr. President, if you or anybody else head of the Parks and Recreation Committee, of course, wants to submit legislation on this, I'll work with them on it and I'll support it.

The Chair:

Councilman Cusick.

Mr. Cusick;

Mr. Ferlo, first of all as Chairman of Parks and Recreation, I look forward to meeting with Mr. Udin to solve the problem up at Ammon.

My concerns are very much like yours, Mr. President. I think through last year when we got the numbers on -- the user numbers of the pools, it concerned us all and the first thing we did was we wanted to see if our pools were going to be able to stay around. I think across the city is what your seeing is people are having the same problem whether it be in Beechview, the Hill District or in Lawrenceville. The pools aren't being utilized to the fullest and we're at fault for that.

I'd like to ask for a post-agenda, Mr. President, not only in regards to that but in regards to the maintenance of the pools and I think that has to be a concern too because each and every year we come up to swim time and the pools just aren't being maintained probably the way they should be for the fee that people are paying and not getting open on time. I think our concerns have to change now. It has to change from what everyone else is doing wrong to what we're doing wrong and if Council would oblige, I would like to hold a post-agenda as soon as the Clerk could set that and we need to start discussing what we could do to make our pools better.

The Chair:

We spent over \$2 million in Ammon Field, over \$2 million.

Councilman O'Connor. Councilman Hertzberg, did you want to speak?

Mr. Hertzberg:

Yes, whenever.

Mr. O'Connor:

All due respect, Mr. Cusick. We've had post-agenda's every year since I've been here. I was on Parks, Mr. Hertzberg had it last year. Every year we come to the table and they're going to fix the problem and this is the biggest joke and especially since we only have six weeks left for our pools and I fought, you know, I think I watched the dollars as close as anybody, I remember arguing with you

Mr. Ferlo, and I ready to say for a couple of bucks let's open the pools up free to the kids, give them back their twenty bucks, I'll put it in next week and I'm sure we'll all co-sign it. Ms. McDonald just showed

me a paper where the City just gave a \$300,000 tax break to big corporations because one threatened to leave the city. They went all the way to Harrisburg to change the law --

The Chair:

-- only for 2nd Class cities.

Mr. O'Connor:

Yes. Only for our city, you know, for the Business Privilege Tax which every other normal business person has to pay it. Here we are playing corporate welfare again and we can't find a couple of bucks for our kids.

I'll put the legislation in with all of you, I think. I don't know what we collect but if we're supposed to collect \$150,000-\$200,000, I'm sure we don't collect half of it. We've talked about user friendly pools, food in the pools. Remember that?

The Chair:

Concessions, yes.

Mr. O'Connor:

We were going to set programs where you could bring lunch. I went to those pools you have to -- I have to sneak in my little potato chips and coke for the kids. Let's just open it up for the kids, start tomorrow free, give them their money back, you know, this is crazy and then they'll threaten to close half the pools. So, I'm for all opening them up. Give it to

them free. Everybody. Every community. Not just the -- and it doesn't work like you say in the low-income areas --

The Chair:

-- I'm talking about city-wide.

Mr. O'Connor:

City-wide -- I think, what are we collecting a couple of dollars. I'm tired and my constituents pay. Schenley Park and Magee are the two biggest pools and I was fighting to make them pay. Well, I'm not going to make them pay, let them go free now. Just open it up, you're only saving a couple of bucks and they're probably not collecting it anyhow. One of the excuses was -- we were going to open the pools for a minimum like a dollar or fifty cents, the excuses were we don't want to handle money. So, they can't handle money, they can't open little food stores or food concessions. At Schenley we've had -- for three years I've requested to put the coke machines, to make them work. There's a thousand companies out there that would love to have pop concessions in our pools. They don't work, they can't make a phone call because they can't get through the system. I mean, we're talking 2 or 3 years. Obviously, you get warn down. This is the middle of July. With all due respect you have a post-agenda, it'll be the end of August and then the lifeguards go back to college early so let's just give it to them free, open up the pools, let all the kids start swimming --

The Chair:

-- get some true numbers and then evaluate the true numbers.

Mr. O'Connor:

Yes. You're probably not getting the right numbers anyhow so give it to them free.

Mr. Cusick:

Maybe at the post-agenda we can discuss the fees and if we --

The Chair:

I'm ready to recess this meeting, go right to the bill and re-introduce it and waive Rule 8 but --

Mr. O'Connor:

-- can I verbally introduce it today?

The Chair:

No. Unfortunately, it has to be in writing, Bob.

Mr. O'Connor:

So, we'll Rule 8 it next week and open up the pools for the kids.

The Chair:

We'll find a way to expedite it. Councilman Onorato.

Mr. Onorato:

Maybe that sounds fine and dandy and it'll be the easy answer but my frustration being here 4 years and seeing post-agenda's is that we're going to let them off the hook again if you do that.

First of all, the reason I supported the fees and the fifty cents or a buck,

whatever it is, I'm the one that's constantly said year after year there shouldn't be a pool in this city you can't walk up to the gate and drop fifty cents into a can to go swimming. I've been stating that over and over again and it frustrates me you can't do that. It's ridiculous, the system we have.

First of all, instead of sending some of these summer kids to career path jobs for six bucks a day, let's hire 100 kids out of the neighborhoods to work the gates to collect the money. I'm not that concerned about that. Everybody says, oh we can't handle money. Let's give them a chance, some of these kids. We could have two kids at each pool, two different shifts, working the gate, even if you had like a can that they have on the bus where they drop in their money as people walk onto the bus, throw fifty cents in, let them in. You don't have to get away from the principle that we approved but the problem is and Councilman Udin is right is that these kids have no idea where to go to even get into the pool. I've complained about this 3 years ago when -- remember when you had to go either Downtown I think or it was Schenley's pool to buy the passes? There isn't a kid on North Side who's going to cross the river to go to Schenley to buy a pass to go swimming on the North Side. It just doesn't work that way. We have pools all over the North Side and even within the North Side, there's certain pools that kids will never see in different neighborhoods. know where their pool is, they should be able to walk up to that door and get in that day somehow and I just think that the fact that can't be resolved it amaze me. would even say we could be creative and let some of these youth in neighborhood, let them man the concession stands at these pools. Let them learn how to run a business, what it means to make a profit, sale the popcorn, sale the chips, sale the soda. Let them run a little storefront up there and let them keep the profit. Let's don't just punt and say, everything's free we can't control it. Let's be creative here. We can this a win-win for the youth and for us without giving up on the principle that okay there's some responsibility here you have to pay even the minimum to get in but just don't put a road block up where you don't even use the pools.

And, as you know, I will never look at the attendance as a reason for closing the pool. They tried to do it last year and if you can recall there were a few pools on the Hill and on the North Side that were shut down for days because of maintenance problems and yet that was being used as a penalty against us because our attendance looked low. Well, if the pool isn't open you don't have anybody in there and I'm not going to look at the attendance and I never will. I want my colleagues to know that. I will never shut a pool down based on low usage because I know what's happening out there but I would just ask before we jump to a quick fix that let's within the next week look at the other options of at least allowing every pool to accept the kid in at the gate for the fees that are in place. Let's look at allowing these kids maybe to set up stands for refreshments and forget about the bureaucratic mess of monitoring every little person, who's selling what. Let's just get together with some of these community groups that are sophisticated that could help set this up for the children and allow them to do something. That's what I would recommend as opposed to just saying open up all the gates free.

The Chair:

Thank you, Councilman. Councilman Ricciardi did you want speak on that?

Mr. Ricciardi:

Yes, thank you. Colleagues, I don't know the dynamics of the Ammon Pool. Let me say I visited all the pools in my neighborhood and they're all being well utilized to the extent of that particular day. We did have a problem at one pool where no one was buying tags. Only six tags were sold, thinking that the neighborhood was just going to utilize that pool and not pay their "fair share". I got involved. I got involved in the process, kids came, they purchased their tags, that pool opened.

Let me just say before we have a knee jerk reaction and that is to eliminate fees we better not forget and we've talking about this for several months now, the tight budget constraint that lures above us and the deficit that we are facing. I mean, we've always stated that we need to at least have cost recovery or majority of our colleagues believed in cost recovery. That is, if you're taking advantage of a particular service, that you should pay for that particular service. Why should those, especially maybe seniors who are not using the pool, subsidize those who are? So, just with that stated, if we're going to eliminate the fees on pools what's going to stop myself from coming and saying let's eliminate the permit fees on ball fields. Why should a little league pay twenty-five bucks for that particular field or someone

could come forward, if I may finish, why not eliminate the very nominal fee on building permits? Let's eliminate then. It's a bureaucracy, it's just slowing things down, why should we be adding to the burden of builders.

So, I just would like to caution my colleagues let's not lose track that we have some very difficult deliberations before up in terms of dollars. And, if someone puts forward a bill to eliminate fees, I'm going to put forward a bill to eliminate certain fees on certain other categories that's going to be pro-business which is going to mean jobs for our young people and adults so, you know, we had decided on fees.

The question is, I do agree that people should be able to pay at the door. they should be able to utilize the pool as much as possible, it should be customer friendly, getting the tags should be very very easy but let's not forget that we increased the fees and those that are of low-income now need to pay fifty percent of the going rate and that's some of the problems that we're facing here, no one has stated it but that's the problem that some children and the families that have not paid in the past now have to pay and it's not going over too big in my neighborhood but that pool now is open and they're taking advantage of it. Again, I don't know the dynamics of other pools but, again, if someone's going to put forward a bill eliminating the fees at the swimming pools, I'll put forward a bill eliminating certain fees then we could discuss what's really a priority.

Be very careful. We've always talked about the deficit that's facing us. It's not a way to solve the deficit by just

keep giving services that we can no longer afford to give. Thank you.

Mr. Onorato

Mr. President.

The Chair:

One last round. Councilman Hertzberg hasn't spoken yet then Mr. Onorato then Mr. Cohen.

Mr. Hertzberg:

Thank you, Mr. President. I think Councilman Ricciardi's remarks are very much right on point. At least that's been my experience this summer that the problem that's been identified to me has been in those areas where in past years most of the users of a particular facility were low-income and therefore received tags at no charge.

This year under legislation that we enacted, those that are low-income pay fifty percent of what everyone else pays and people had to find out about it for whatever reason and part of the problem may have been administratively Parks and Recreation or whoever should have done the job in getting the word out didn't get the word out so that early in the season a lot of people weren't aware of this situation. They tell me that they have a mailing list and that whether past users had paid or not paid for tags they would have received the mailing which would set this all out, the new program.

I'm also informed that the enforcement as far as the tag requirement has been very strict this year. Whereas in the past, I think there was a little more

liberties taken. One of the results that at least I'm getting feed back on is that those that are utilizing the pool seem to be much more appreciative of them, more respectful of them and we're not having some of the other activities that everyone complained about also.

But, I think part of the problem is just in getting people to change habits. They were used to a particular system in the past. The one this year is a little bit different. I think having tags, mailing them out requiring people to register before the pool season is a system that's in place in a lot of private operations around the entire country. I think public pools wise, though, you do see a lot of pay-asyou-go-in set ups and the different reasons why we don't have that at all our pools has been identified. We have tried to make more paid facilities than there were in the past and for the public and Members of Council, if you want to know where and all the details, hours of operation, days of operation on the pools. Our Parks and Recreation booklet is very good on that and they're out there, they're a free book, they really tell you everything there is to know, where you can get tags, where you can pay to get in at different pools just walking up and being a city resident without a tag.

I'm not ready to change anything. I'm ready to find out more about what's going on and how we've handled the new system. I know we came in here with a tough budget situation last year, we're going to come into a tougher budget situation this year. I very much agree with Councilman Ricciardi who says that relating costs to the users of a particular facility is a much fairer system than taxing the pubic at-large for a particular facility

so I'm not ready to say open the gates at no charge at this point.

The Chair:

Councilman Cohen then Mr. Onorato.

Mr. Cohen:

Thank you, Mr. President. I don't think the issue is whether to charge a fee or not charge a fee. That is a separate issue. One that we discussed in Council before. The problem is this bureaucratic tag system. Whereby a kid comes to one of our 32 swimming pools and the Parks employee says I see that you're hot, I see that you got your bathing suit on, I see that you got a buck in your hand so you could pay for it but no I can't let you swim because you haven't filled out a form and gotten a tag from the city bureaucracy. That's what's wrong with this system and if we can open this thing up and not have to have his bureaucracy then it will be a heck of a lot better for our kids. They're not applying for a job, they're trying to go swimming for God's sake and it's a stupid system and I think we need to reform it, fee or no fee. I think that's a separate issue but let's eliminate this bureaucratic tag system.

The Chair:

How many people would go out to the evening movies if they had to come down to City Hall and purchase their tickets in advance?

Councilman Onorato.

Mr. Onorato:

Just briefly. I just want to add another suggestion because I know a lot of our pools they also border either a "rec" center or ball park and everyone knows here that our little leagues make a fortune or they live or die based on the concession stand.

I bet if we would offer the pool concession to these little leagues that desperately need money, they would jump on this opportunity, they'd put up a table and sell cokes. This is so easy to solve. We have established little leagues throughout this city and I'm sure on the Hill there's plenty of little leagues that would the opportunity to make some money. They pick up \$2,000-\$3,000 in the summer, that's like \$1 million to these little leagues and they're the same groups that come here every December asking for \$1,500 and how many hours do they put in volunteering taking care of hundreds of kids. We couldn't pay for that kind of service we get from these people so I would recommend that we could just turn around, ask who's operating facilities right now -- I know Banksville has one built into the pool, Brighton Heights has one built into the pool for the little league park, these people know what they're doing. Let them keep the profit. I don't care but what it does is it makes your pool user friendly. People swimming have something to buy, your little leagues are making some money or any other athletic group, it doesn't have to be a little league. and at the same time just start collecting money at the doors. This can be resolved very easily.

The Chair:

Thank you. Again, I think we're going to have a bill shortly. I certainly

want to co-sponsor that because I want to move dead center on this whole debate again. I don't know whether we'll have the post-agenda or if we get your bill in we'll be able to provide that formal discussion right at the council table instead of having both the post-agenda and a debate on the bill but --

Mr. Ricciardi:

Just a point of order. Which bill are we going to have shortly?

The Chair:

We're going to introduce a bill to straighten out this fee problem for the rest of the year until we have a budget debate again.

Mr. Ricciardi:

Are you presenting a bill to eliminate the fees, Mr. President?

Mr. O'Connor:

It's the only way to look at it because --

Mr. Ricciardi:

We're not looking at it. That's why we're looking at it and now presenting it.

The Chair:

I already looked at it. I didn't vote for the fees --

Mr. Hertzberg:

Will we refund those that have paid already?

Mr. O'Connor:

Yes, refund them. Wait a minute --

The Chair:

-- I believe that's what we talked about but let's --

Mr. O'Connor:

You guys' memories are very short because we gave \$40 million to Lazarus a couple years ago. The next week -- two weeks later we talked about closing pools because we didn't have enough money. Let's put our priorities straight.

We just gave a tax break, the City of Pittsburgh, \$300,000 a year to big corporations, banks and investments companies and we can't give a couple bucks to open our pools. It's not just a -everybody, if they want to pay the fifty cents or whatever it is, we can't -- this pool system can't even collect the money. That's the joke.

Mr. Onorato, you said about food concessions. They won't even set up eating areas, which they promised us, so if families want to come and have a lunch they can't eat in the pool area. There's all kinds of things. We've heard these excuses since I've been on Council. How are we going to make the pools more user friendly and nothing's happening now Mr. Udin telling me they're not using that pool. I dare anybody to take a ride to Highland Park, it's probably one of the

most beautiful pools in this region, City or County, and it's empty and this was two years ago last year and this year I'm presuming it.

So, there are drastic problems with our pool system. We have them, we invested the money and guess what? We're paying for five or six lifeguards, we have the pools set up, the locker rooms, all that. It doesn't cost -- It cost the same amount of money if two kids are swimming or 200 people so we're sitting here with an empty -- we're driving the car empty so I think we got to take a look at it. We only five weeks left -- five or six weeks, too. And that investment, I bet you we could save money on damages and some of the vandalism and the little or big mischief kids get into so I think we better take a look at this so we get the best use of all our pools in the next six weeks.

The Chair:

Other discussion?

Again, this issue about individuals being able to pay whatever the small amount is each and every time they want to swim at the 32 pools is an issue that goes as far back as when I first got elected. It predates everybody who's sitting in front of me. So, it's been at least 8 years that we've debated.

I've been all over the works, I've seen at least 50 different automatic devices that have a way of collecting money. You see them at countless parking lots all over. Every city, every urban area, every different kind of business uses automated technology so the point is I think it's a conscience plan to build in forced obsolescence so that we can conclude, oh

we have to close the pools, they're not be utilized or people don't want to pay and that's a fallacious methodology that is not appropriate in terms of us rendering a decision and I agree with Councilman Onorato. We have never been creative. I mean, we could have a rubber ducky contest in each one of our neighborhood pools for \$5.00 a rubber ducky and you'll see citizens come forward and contribute. We've never sold advertising companies, local merchants that what to have PR in and around the pool appropriate PR, appropriate advertising. The concession stand item. We've never -- we need a Parks Director, that 's the first thing. Councilman Ricciardi, did you have another point?

Mr. Ricciardi:

Well, I'll just end with this. Just to keep this in perspective of the budget and I'm sure this Council is aware that our Finance Department is being inundated with request to reimburse for the personal property tax that we've collected. That's why we've collected the \$8 million, I believe, last year PNC has brought suits forward and according to information I've received this past week, there appears that many many people have put in for refunds or they've threatened suit so just keep in mind that we might be paying out millions or dollars in the personal property tax that we've collected in the past before we begin to eliminate other revenue strings. Thank you.

The Chair:

Thank you. Other matters? Councilman Cusick.

Mr. Cusick:

Yes, Mr. President, I'd like to request a public hearing on an off-street parking issue in my district. Can I do that in a form of a motion or do I have to do that in the form of a motion. I don't know what's proper.

The Chair:

Can you request a public hearing? If you could clarify to the Clerk the request.

Mr. Cusick:

The public hearing would be on off-street parking on Bellaire Place in regards to off-street parking on Bellaire Place.

The Chair:

Do we have to have a formal public hearing. Can it be a --

Mr. Cusick:

-- the citizens of Bellaire Place had requested a formal public hearing.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Motion carries. Thank you very much.

Any other matter -- please be patient because I just want you to stay two minutes more.

I almost fell off my living room chair the other night. KDKA, Andy Sheehan, Channel 2 had a news item on and since I'm being vindicated on the swimming pool debate, I'd like to be vindicated on another matter.

Two years ago, Councilman Cusick and I had a press conference which we both got crucified by certain individuals because we were considered radical. Now it's true we had faces of gang members behind us but I had faces of gang members both black and white youth. That was not carried necessarily and I've been criticized by some residents, who have come to public hearings, on that point. They were black and white youth.

There were three basic subject matters at that public hearing that we asked for -- at that press conference that we asked for. One, was that youth who are engaged in violent activity and who utilize a gun, we wanted them to be emancipated and tried and adjudicated as adults. That was one of the things that we expressed at that press conference two years ago. Since that press conference, because of legislative action signed by Ridge and the State Legislature, that is now the case. I just want to be clear on that

Second thing that we expressed at that point was that we felt that there needed to be a sharing of both rap sheets and fingerprints of violent youth offenders with the various law enforcement agencies because we had a situation two years ago where the city police system was not

compatible with County and it was never clear how once an individual youth was tried what the adjudication was and there was a lack of information sharing, including fingerprints and rap sheet. It's because of that pressure and other pressure from the public in the last two years that also has been changed and modified by the State Legislature and now the police do have access to fingerprints and appropriate rap sheets. And, again, I'm not talking about the youthful offender that has a minor offense. I'm talking about youthful offenders who engage in criminal, violent activity.

The third thing which we were completely ridiculed on and criticized editorially and among law enforcement was the issue that we raised regarding the RICO Statute and that's what made me fall off the chair the other night when I was watching Andy Sheehan. Unbeknownst to me and I actually what to applaud our U.S. Attorney, Mr. Thieman, and thank him. Apparently now the RICO Statute has been contemplated, there has been a grand jury that has met, they have promulgated names of individuals and the U.S. Attorney is now reviewing the use of the RICO Statute as it relates to organized gang activity in the City of Pittsburgh and I just want to say thank you to the U.S. Attorney and to my good friend Dave Craig who always wants to lambaste Mr. Cusick and I down at the editorial board. I would ask that they review this issue. I also find it interesting that since Andy Sheehan's article I haven't seen any news articles on this issue and I haven't seen any other media attention on this issue.

My interest in wanting to have the RICO Statute is not just to shake down and prosecute at the federal level a youthful violent offender who may be engaged in crack cocaine or drugs in my neighborhood. My point, very clearly, with the RICO Statute, crack cocaine and drugs are not produced in Garfield, in my district. They are produced and are benefited by wealthy individuals who live in mansions in Mt. Lebanon, Cranberry Township and all over this region and the focus unfortunately, the terror to families is at the street level in Garfield, in my district, and elsewhere. It is not at the mansions in Cranberry Township and Fox Chapel, Mt. Lebanon from the individuals who actually produce and transport and benefit financially from this trade and that's the benefit of the RICO Statute, not to just to shake down and adjudicate youth who are involved in drug distribution and sales. The idea is to get at the source and to prosecute at the federal level and that was the intent and the spirit in which Councilman Cusick and I first addressed this issue regarding the RICO Statute.

With that I'll just end and I want to thank the U.S. Attorney for re-evaluating the position that we expressed a couple years ago at the press conference.

Any other comments? Councilman Cusick.

Mr. Cusick:

I just want to add to that. The youth that were placed on that pictorial stand that we had were all shooters too and had very serious crimes so I think that should be noted. They were not some of our elite residents of the city and I think that was passed by when the Post-Gazette and others did stories on it.

The Chair:

Any other discussion? Motion to approve the minutes and to adjourn.

MR. ONORATO moved to approve the Minutes of Tuesday, July 9, 1996.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

And on the motion of MR. ONORATO

Council adjourned.

Sandra L. Washington Stenotype Reporter

NOTE TO ALL COUNCIL:

PLEASE BE ADVISED THAT THIS TRANSCRIPT DOES NOT INCLUDE COMMENTS.

ADDENDUM

- Councilman Hertzberg, Ferlo and Cohen comments -on Bill No. 733 can be found in the Standing Committees Meeting Minutes of July 10, 1996
- Councilman Hertzberg comments -on Bill No. 787 and 789 can be found in the Standing Committees Meeting minutes of July 10, 1996
- Councilman Cusick comments- on Bill No. 781 can be found in the Standing Committees Meeting minutes of July 10, 1996.

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA Tuesday, July 23, 1996

PRESENT:

Mr. Cohen Mr. O'Connor
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. Onorato (Pres't)

The Chair:

Good morning, everyone. City Council's Legislative Session will now come to order.

I would now like to ask and it is a great honor to ask the Color Guard from the Korean War Veterans' Association to please enter Chambers.

And, now, would you please all rise for the Pledge of Allegiance and

would you please remain standing for a moment of silent prayer so that we may have peace throughout the world and our hearts and tears go out this morning to Pittsburghers who were lost in the tragic air crash just a week ago. Two women in particular, Judy Penzer and Jill Watson, who had been working with my office and residents from the Polish Hill Community on a very exciting mural, our hearts goes out to their loved ones and to their family members.

I would like to call on Tashayla Payne who's here this morning. Tashayla Payne is a student at A. Leo Weil Elementary School. She's 6 years old. She's a little bit nervous but I know she's going to do a great job. She's in the 2nd Grade. She's a high honor roll student, she's from Councilman Udin's District, the 6th District and Tashayla is going to lead us in the Pledge of Allegiance. Tashayla.

Tashayla Payne:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Special thank you to our Color Guard that's here this morning

from the Korean War Veterans' Association and also to Tashayla. Thank you very much for leading us in the Pledge of Allegiance and for taking time from your summer vacation to come down here and our City Clerk has presented you with the flag of our great nation and the flag of our City.

PRESENTATIONS

The Chair:

We have a number of honored guests in the audience this morning that we will call upon but given the fact that we are honored to have our veterans here this morning, I think it's appropriate that we now call on Councilman O'Connor. And, Commander Stevens I believe is here and the other guests.

Mr. O'Connor:

Would Commander Stevens please come up, President of Korean War Vets, and Joe Natoli, better known maybe as County Parks Director but very active in the Korean --

This is the start of a very exciting weekend for all our Korean War Vets and I'll read the proclamation and let you two tell us all about it.

MR. O'CONNOR PRESENTS

No. 872 WHEREAS, the Korean War began when North Korea invaded South Korea on June 25, 1950. In the midst of the Cold War, the Security Council of the United Nations condemned this action and voted in favor of intervening under the premise of a "free

world" unhampered by communism. After two years of truce talks, an armistice was signed on July 25, 1953; and,

WHEREAS, the Korean War, commonly referred to as the "forgotten war", is the fourth largest in American history with over 54,000 American lives lost -- 2,300 of them from Pennsylvania. Through the selfless dedication of servicemen and women in every branch of the military, U.S. Forces secured the 38th Parallel and assist in maintaining peace and freedom for South Korea today; and,

WHEREAS, the recently signed Public Law 104-19 provides that July 27th of each year, until the year 2003, is designated as "National Korean War Veterans Armistice Day". The law requests the President to issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities, and to urge the departments and agencies of States and interested the United organizations, groups and individuals to fly the American flag at half staff on July 27th of each year until the year 2003 in honor of the Americans who died as a result of their service in Korea; and,

WHEREAS, the Korean War Veterans Association of Western Pennsylvania, Inc. and the Korean War Veterans Memorial Fund of Western Pennsylvania, Inc. are jointly hosting a Korean War Veterans Armistice Day Ceremony on July 27, 1996 at 10:00 am at the future site of the Korean War Veterans Memorial in Roberto Clemente Park, North Shore.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and applaud the Veterans of the Korean War for service to their country in the interest of freedom throughout the world; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, July 27, 1996, as "National Korean War Veterans Armistice Day" in the City of Pittsburgh.

SPONSORED RY COUNCILMEMBERS BOB O'CONNOR, DAN COHEN. JOE FERLO, CUSICK. ЛМ ALAN HERTZBERG. VALERIE MCDONALD. DAN ONORATO. GENE RICCIARDI AND SALA UDIN.

MR. O'CONNOR moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. O'Connor:

This is an exciting week and I've been very proud to be a part of it, a board member, and we look forward to all the ceremonies and President Stevens I would like you to come up and tell us all about it.

Mr. Stevens:

Thank you, Councilman. I want to thank the Members of Council for that resolution and it's an honor for us to be here this morning. I would first like to introduce members of my Color Guard; Capt. Bert Cerminara, Vince Palmiere,

Jack Bence, Jim Floriolli, Tony Scalise and Lee Irwin. I'm very proud of them, they do a wonderful job, they attend many services and do a lot of good to promote and educate the public that between World War II and Vietnam there was a place called Korea. 54,246 Americans died in the fight against communism, 103 were seriously wounded and 8,177 are still missing in action or P.O.W.'s. There is even rumors today that there are still live Korean War Veterans still captive in North Korea and in China.

This resolution today is again significant to all of us and it should be significant to everybody in Pittsburgh and throughout this state and throughout this world. It is true that the Korean War is considered or it's sometimes referred to as the "forgotten war". That is one of the reasons why myself and a few other Korean War Veterans started this organization, not to glorify war but certainly to educate the public that in fact no veteran, no one who fought for this country, nobody who fought for democracy should be forgotten.

So, it's an education system that we are trying to put forward throughout the United States. Last year we were fortunate and proud to be part of the ceremony in Washington D.C. where we dedicated -- we raised \$18 million and dedicated a beautiful memorial in our nation's capitol. We're in the process of doing that here in the Pittsburgh area and we're so thankful to Members of Council and City of Pittsburgh for the piece of ground. It's a beautiful place to have a memorial, on the North Shore and we're working very hard to raise those funds needed to put up a lasting memorial, a

memorial to those who died and a monument to those who served. And just for a little bit of information, 126 Congressional Medal of Honor Recipients were from the war in Korea, almost 10 percent or 12 were from Pennsylvania. The service we have on July 27th and we had to move it up to 10:30 AM because we had to allow the Regatta to take place. We moved it up from 10:00 AM to 10:30 AM because there's going to be a boat race between 9:30 AM and 10:30 AM so hopefully we'll be able to perform our memorial service over there at the site and vou're all welcome, all City Council, all people present are welcome to be there and participate in this meaningful memorial service.

Again, we want to thank City Council. That night, I might add that the Pittsburgh Pirates are playing Philadelphia and that our Color Guard will be there and there will be a short ceremony before the game at 7:05 P.M. and all tickets sold at that game, \$2.00 will toward the memorial fund and we appreciate that very much.

So, I've taken enough of your time but I can't express to Members of Council and to all of you how very much we appreciate everything that has been done for us and again we look for your help in the future. This memorial is very meaningful to all of us and I think it will be a beautiful -- to go along with the other memorials that you have over on the North Shore.

At this time, I'd like to introduce one of our directors of the memorial committee and everybody's buddy, especially the veterans, Joe Natoli.

Mr. Natoli:

Thank you very much. Ed covered practically everything that I know about that's going to happen on Saturday but we'll be over there, the program will start at 10:30 AM and of course like Ed told you over the ball park around 7 o'clock or so but again I want to thank Council, especially Dan Onorato and Bobby O'Connor, who's been real active with us with the Korean War Veterans.

So, we need your support. There will be a lot of literature going out about raising money for this memorial and we would appreciate it if you would help us out with that. It's a beautiful memorial. We have the rendering of it. Now we just got to raise the money and it will go up over at Clemente Park. Thank you again.

The Chair:

Thank you, Joseph.

Mr. O'Connor:

I know Senator Santorum will be there and a lot of dignitaries but didn't we at one time have a problem. The list of Korean War Veterans is not in as good shape as far as finding Vets and --

Mr. Stevens:

-- it's been an ongoing process to find -- you know, it's 43 years since the end of the war and most of your small counties I found out that there are a list of those who served. In Allegheny County, there's 29 thousand who served in the Korean War and we've had a difficult time trying to get that roster together so little by little, piece by piece we are doing that so we're always looking for Korean War Veterans because even to this date, Councilman, a lot of Korean War Veterans do not realize that there is such an organization and that we do have this project going.

Mr. O'Connor:

And anyone out there that -- any Vets may be watching, how would they get a hold of you? Is there -- just call our office, we'll have some information for you.

Mr. Stevens:

Yes. Council people could help us out and certainly I'm available and I could leave my address and telephone number and we'd appreciate that very much.

Mr. O'Connor:

We're trying to get the word out there to a lot of Vets who may not know what's going on that want to help.

The Chair:

Thank you. We applaud your efforts.

We would like to get the Color Guard up here. They would like to have you participate I believe.

I think our guests have asked for a group shot here. We'll, please, quickly participate.

Ms. McDonald:

You want everybody?

Mr. O'Connor:

All Council Members, please.

The Chair:

Again, we want to thank the Color Guard and the Korean War Veterans Association. Thank you very much for coming down today.

At this time, I'd like to call on Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President.

The Chair:

Thank you, Mr. Cohen.

Mr. Cohen:

Would the Firefighters come up here, please, and the Chief and Assistant Chiefs and also Mr. Matter, Mr. Dinardo if you could come up, too, please.

The Chair:

We've been waiting to get David Matters into these Chambers for a long time. Two Mayors later, we're still --

Mr. Cohen:

Members of Council, members of the audience, it is my distinct honor as Chair of the Public Safety Committee on this Council to present this proclamation to the City Firefighters for their efforts in putting out the fire at the former Hornes building just a couple of weeks ago.

As all of you know, we nearly had a catastrophe here in Downtown Pittsburgh at noon time on July 9th. I believe it was a 5-alarm fire, Chief, that was caused by sparks from a cutting torch done by constructions workers on the roof.

This fire developed to the point where we had a serious conflagration, potentially. Six trapped construction workers were on the roof. The computer dispatch system was down, I think, just for a few minutes for routine maintenance. The water supply line to the upper floor was temporarily inoperative.

All of our Public Safety personnel performed admirably, truly admirably and we had nearly 100 firefighters, police officers and paramedics who were on the scene. I thought about bringing all of them down but if we had, I think we would have put the streets of Downtown Pittsburgh at risk. In all we had 19 -- I believe this is right, 19 pumpers, 4 aerial trucks, 30 police cars, ambulances, rescue trucks et cetera and they did just a fantastic job. It was a huge operation. The result was that no civilians were injured. We did have a few minor injuries of three firefighters which I'm happy to say were minor but no civilian injuries and this fire contained and ultimately was extinguished.

And, also, we can't forget the fact that this building is a building that this City has certainly invested its time and its money in to the point where it's a very important economic development project for the City. We have hundreds of people moving into this building for its renovation as the Blue Cross Building and we're very fortunate this morning to have with us the President of Oxford Development, David Matter -- Oxford Development is the owner of that building. and back into the Chambers, our former Public Safety Director and former General Services Director, I won't go through your whole resume, but Lou Dinardo is here as well and we have Chief Dickinson. Assistant Chief Micheli and Deputy Chiefs Dan Hennesey and Robert Hrosky and of course the President of the Firefighters, Joey King, and we had Jim Mahoney -come on up Jim you came here for this, and Jim Mahoney as well and I just want to take this opportunity to congratulate all of our Public Safety personnel but especially our firefighters for doing a terrific job in containing this fire. So, let's have a round of applause for the firefighters.

And, I'd like to present one of these to Joey King and one of these to Chief Dickinson and congratulations to both of you for a great job.

MR. COHEN PRESENTS

No. 873 WHEREAS, on Tuesday July 9, 1996 the City of Pittsburgh Fire Bureau was called to respond to a serious fire engulfing the roof of the former Horne's building Downtown; and

WHEREAS, firefighters were faced with a swiftly spreading fire and six construction workers trapped on the Penn Avenue side of the roof; and

WHEREAS, within minutes the fire spread to twenty-five percent of the roof area and involved flammable roof covering and adhesive in pressurized containers; and

WHEREAS, the fire department found the water supply line to the upper floors inoperative and calls of the fire beginning to drop through the roof openings to the eighth floor were reported; and

WHEREAS, early arriving fire companies moved swiftly to rescue the construction workers on the roof and establish an alternative water supply for fire attack lines; and

WHEREAS, additional fire companies carried fire hoses and equipment to the eighth floor; and

WHEREAS, courageous work by ninety eight firefighters and officers brought this serious fire under control in approximately one and one half hours. Although three firefighters suffered relative minor injuries, the work of the Pittsburgh Bureau of Fire limited this potential disaster to no civilian injuries.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor the Pittsburgh Bureau of Fire for their outstanding efforts rendered during a time of crisis caused by the fire at the former Horne's Building on July 9, 1996.

SPONSORED BY COUNCILMAN DAN COHEN

Mr. King:

Again, it's always a distinct pleasure to receive recognition on behalf of the men and women who I proudly represent each and every day in the Bureau of Fire and also the Members of Local No.

What was interesting that particular day when I had the opportunity not to actually visit the site but to monitor the actions of the firefighters and their -trying to suppress this particular incident and make these types of rescues. The confusion that took place on the 8th Floor with no water, that's typical in these types of fires. The firefighters place their lives in these types of atmospheres and environments with no back up protection. Fortunately for each and every one of us, the fire was controlled, contained with very minor injuries.

The interesting part of all of this is that, as Councilman Cohen had identified, over 60 percent of our manpower and equipment resources were used that particular day Downtown for this specific incident which left us very limited with other resources available to the 88 different communities in the city.

I would hope that the Mayor would seriously take a look at this and unfortunate incidents like this everyday can occur and you can't measure the size of a department or equipment or manpower and the levels of that on usage alone. So, again, it's a distinct privilege to represent and accept this award on behalf of all the men and women who I represent. Thank you.

Chf. Dickinson:

The following morning, the Post-Gazette had an article and made me jump right into the dictionary. It said, "effusive" and I wasn't quite sure what that word meant but I knew after I looked it up in the dictionary, they were correct because I was effusive about the firefighters and officers that day.

I'm here to represent a lot of different people today and if you follow our line of work, you will see our share of heartache that we accompany on the fire ground in this city and I have to tell you a few minutes after twelve on this day it was in doubt whether any fire department could do what occurred in the next hour and one half. I could spend a lot of time talking to you about what went right that day and some things that firefighters faced.

What I'd really like to have though is and what I feel I represent today are those who did the work that day, not me. I was on the street at the command post but the officers and the firefighters that faced that formidable task and I believe although as far as a fire is concerned, there's all types of fires that we respond to and clearly this had to be one of the most video taped, wrote about, news article coverage in a long long time in the city that had a terrific ending because the six workers at the building who clearly were at risk, the firefighters who worked so hard to gain control of that fire which turned out to be particularly on the roof, a really threatening operation, all went well that day and all of us know in this room that's not always the case.

I accept this award for their work and with me today I want to point out a

few people who did part of that work. Immediately in the first uniform there on our left, your right is Assistant Chief Micheli. He assumed command for a few moments and then was reassigned as I relieved him to what we call side one and side two of the building, that would be the Penn Avenue side and the Stanwix Street side. Chief Hrosky the gentleman in the middle there, who's our official Bureau of Safety Officer, that fire was so serious he had to share a part of his work. He was on side two which was the threatening part between the two buildings of the old PACT Building and the building there.

In any event, Bob did a terrific job. Dan Hennesey who represents B Platoon, that was the Platoon that was on duty that day, was the first arriving chief officer. Dan's a relatively young deputy chief. He's only been a deputy chief for two years. Similar in work to a police commander in a zone, he's in charge of the entire shift in the field. I think Dan would share with you he had his hands full that day. He did exactly what was needed to be done by calling for more resources, trying to figure out what the priorities were.

You have no idea what it can be like as you come around the building and you see four people in the corner of a building and a fire that's continuing to spread and you know in our work that our ladder trucks can't reach that roof. For that, I accept this award for all of their work and how proud I am of the bureau and I'm glad that the story turned out to be what it turned out to be.

Ironically, in the middle of all of that, I saw two people that I knew and they

had serious looks on their face. Dave Matter who represents Oxford Development, Lou Dinardo who we know works for them now. The Mayor was there. There were a lot of people there with concerns. A landmark building important? You bet. The best news is no one was hurt and the building is still there. Thank you very much. I appreciate it.

Mr. Cohen:

I would like to ask David Matter to say a few words. Everybody knows Dave, of course, for his tremendous contributions to this city as Executive Secretary to Mayor Caliguiri and many other involvements not the least of which is his chairmanship of the Regional Assets Board. David, please say a few words.

Mr. Matter:

Thank you, Councilman. There is very little new that I could add in the way of praise for the work of the Pittsburgh Firefighters that hasn't already been spoken but please allow me to offer a few words of thanks from a very grateful owner to Chief Dickinson, the Deputy and Assistant Chiefs' and the men and women of the Pittsburgh Fire Bureau who as Councilman Cohen said took a major conflagration that could have had disastrous consequences for our property and for the Downtown and turned it into a fire incident where no lives were lost, only very minor injuries were sustained and our property was saved. Congratulations on a job very well done. Thank you.

The Chair:

Thank you, David. Councilman

Mr. Udin:

First I just want to move the adoption of the resolution.

Mr. UDIN moved to adopt the resolution.

Mr. COHEN seconded the motion.

Which motion prevailed.

Mr. Udin:

Secondly, it occurred to me as I was watching the story as I'm sure everyone did. The bravery of the firefighters, the -- I understand that there were potentially explosive gases or propane tanks or something like that on the roof and the equipment would not reach to the 8th Floor but the firefighters without regard to the potential danger and the possibility of a severe explosion continued their trek through stairwells all the way up to the roof to rescue the men that were up there and to put out the fire and it just kind of brought home to me the extreme bravery that these men and women sometimes are required to exhibit and the non-hesitation. They just went right up there and did there job without regard to their own well being apparently and I just wanted to commend the Chief and the Deputies and all of the men and women who were on the ground and on the scene that day, again, for a job well done.

The Chair:

Thank you, Councilman.

Mr. O'Connor:

Again, I just want to commend everyone. I was down there and I was really impress with how well -- and as Joe you stated, companies from all over the city came and how well coordinated and actually almost looking routine. performed their duties, evervone especially in the heart of Downtown with all the traffic, the people, the problems and the coordination between the EMS, the police and all the fire stations how they all came together and worked like a real team and I was so impressed with that. You don't see that, maybe on a video. I know at your command post you have all that and just watching that really impressed me and I just want to, again, commend you for vour outstanding work and all the firefighters.

The Chair:

Thank you. Councilman Hertzberg. Councilman Cusick.

Mr. Hertzberg:

Thank you. Nothing else shows that we need the firefighters and the entire Fire Bureau that we have now. I think this incident does.

The Chair:

Councilman Cusick.

Mr. Cusick:

I'd just like to say that I think that all the Pittsburghers can really feel safe now that we know that the master plan can really work for — if that's what we call the Public Safety master plan, it really works and the property owners, the residents, the Mayor and this Council can all be real grateful that we have so many confident — not only people on the job but confident administrators out there in the field. Thank you.

The Chair:

Thank you. Thank you all. We especially want to thank the Mayor for arriving at the scene to observe the activities. I think it's important that given the Mayor's announcement about the closure of a large number of fire stations that we try to do the proper due diligence and I hope that this Council obviously will be involved in that debate because I think there's a serious question about response time and the manner in which fires will be fought and I hope it's not going to take an incident for us to be cognizant of that. Thank you all. You too, Lou. See you, David.

We also would like to welcome -we have a number of students here today
from Sewickley Academy from the
summer bridge program, it's a career
opportunity day and we have Stedon
Arando, Eric Howze, Tanjala Millender
and Ashley Baskin. We want to welcome
all of you here today. Hopefully, I
pronounced the names correctly. But,
welcome and thank you participating in
the Council Meeting today. I don't know
if Sala has a relative among that four but it

sounds like it. Maybe you'd go out and greet them.

We have a number of other guests in the audience today and at this time I call on Councilwoman Valerie McDonald.

Ms. McDonald:

Just one for the record.

The Chair:

We have one to be read into the record.

MS. McDONALD PRESENTS

No. 874 WHEREAS, The 1966 class of George Westinghouse High School is celebrating the 30th anniversary of their graduation; and

WHEREAS, Dewey T. Goodman, acting as the chairman of the organizing committee, performed admirably in putting together that event; and

WHEREAS, George Westinghouse High School is located in the ninth Council District in the City of Pittsburgh and has a very rich tradition of school spirit that is handed down from generation to generation; and

WHEREAS, many George Westinghouse High School graduates particularly, but not limited to those from 1966, have made tremendous contributions to our society and the community from which they came.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City

of Pittsburgh does hereby recognize Dewey T. Goodman and the George Westinghouse High School graduating class of 1966 for their contributions to the community and extends best wishes on the occasion of their 30th year class reunion.

SPONSORED BY COUNCILWOMAN VALERIE A. MCDONALD

MS. McDONALD moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

I'd like Neil Bisno, Vice President of the Service Employees International Union and his co-workers, the men and women nursing home employees to come forward, please. State Representative Don Walko was here earlier this morning. He had a press conference. He apologizes. He had to be at another meeting but I know he'd spoken to a number of our colleagues. I'm just going to read quickly the proclamation on behalf of a number of my colleagues.

THE CHAIR PRESENTS

No. 875 WHEREAS, repeated violations of labor laws by employers cause harm to individual employees and working people in general, disrupt labor relations and represent an affront to the basic principle of the rule of law; and

WHEREAS, illegal replacement of employees by unscrupulous employers

creates an unacceptable burden on state, county and local governments and taxpayers through increased expenditures for unemployment compensation and other forms of public assistance; and

WHEREAS, Beverly Enterprises, an out-of-state corporation that is the largest for-profit nursing home chain in the country, which owns and operates numerous facilities throughout the greater Pittsburgh area and employs numerous city of Pittsburgh residents, has repeatedly been prosecuted by federal authorities for massive labor law violations, including the recent illegal replacement of over 400 employees across the Commonwealth of Pennsylvania; and

WHEREAS, a bill has been introduced in the Pennsylvania House of Representatives (House Bill No. 2719 - "The Beverly Bill") that would require employers to repay the Commonwealth for any increased unemployment compensation costs that result from illegal discharge, layoff or other displacement of their employees; and

WHEREAS, at a time when all levels of government are already faced with difficult budgetary pressures, Taxpayers should not have to pay for the illegal actions of labor law violators such as Beverly Enterprises.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby calls upon the General Assembly of Pennsylvania to enact "The Beverly Bill" and Governor Ridge to sign the legislation into law as soon as possible; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby directs the City Clerk to transmit copies of this Resolution to the offices of the Governor, the leaders of both houses of the General Assembly, and all Allegheny County state representatives and senators.

SPONSORED BY COUNCILMEMBERS JIM FERLO, DAN COHEN, JOE CUSICK, ALAN HERTZBERG, VALERIE MCDONALD, BOB O'CONNOR, GENE RICCIARDI AND SALA UDIN.

MR. RICCIARDI moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

I want to thank all my colleagues, especially the four that attended the press conference this morning and I especially thank want to our own State Representative Don Walko from the North Side and State Representative Mike Veon. think proclamation is the self explanatory. Again, this is a situation where we need to restore a level playing field when it comes to labor negotiations fair, equitable and justifiable. The fact of the matter is Beverly has acted in a reprehensible fashion. They have repeatedly been cited by the National Labor Relation Board and when these individuals have to incur unemployment benefits to survive that burden should be placed on this company who's engaged in illegal practice. I think many of my colleagues spoke eloquently this morning about the burden that this company has placed on the taxpayers and the fairness and the respect that we have for the men and women behind me who do the work of caring for the people that we love and care in various nursing homes across the Commonwealth.

We have a number of representatives here this morning. Neil is the Vice President of the Local and we have a number, obviously, of the workers who have directly been affected with termination and this fight has only just begun and I'd like to ask Neil to accept this proclamation on behalf of all of the colleagues and Neil maybe you would like to say a few words on behalf of the workers. Thank you.

Mr. Bisno:

I would like to thank Council President Ferlo, all the Council people here today and particularly those Council Members who were with us this morning at the press conference. On behalf the members here and the approximately fifteen hundred Beverly Enterprises workers represented by our Local District 1199P as well as Local 585 and Local 668. all of the Service Employees International Union. I would like to recognize and thank the Council people for their action, Representative Walko. Representative Veon of Beaver County and the other many area State Representatives who have co-sponsored the Beverly Bill.

I would just like to say very briefly that this is about obviously these workers, mostly women, who work very hard, many of them for many years to provide care for the elderly residents of our community. This is about all working families in our community. It's about the right of working people to stand up, to have their voices heard, to bargain collectively for their wages, their benefits and also to fight for their ability to do their work and to provide the level of service and quality of care that they very much work hard everyday to provide and want to provide.

It's about, mainly, a principle of the rule of law. I think that if any of us here behaved in the way that Beverly Enterprises has behaved over the last 10 years, we wouldn't be in a hearing room or in a court for the last 10 years as Beverly has been, we would be locked up. This is a company which simply believes that the law doesn't apply to them and this action today and the Beverly Bill which would force employers to repay the taxpayers when their illegal actions cause increased unemployment costs and other social services. This bill is really a way of holding all corporations that operate in this Commonwealth accountable to the laws of this state like everv ordinary Pennsylvanian and every ordinary American. And, hopefully it will be a way not only of dealing with this issue but of discouraging other employers attacking the rights of workers and disobeying the law. This is a company which has repeatedly put profits ahead of workers rights, of residents dignity and of the community, most recently replacing many of the workers here and close to 500 across this state and this is a very important first step in this City and in this County and in this Commonwealth to stand up to the kind of greed and arrogance and law-breaking that Beverly

Enterprises represents so thank you very much.

The Chair:

Thank you. Hang in there.

Mr. O'Connor:

Thank all of you.

The Chair:

We have a guest from Canada here this morning as well as from Bloomfield. Emily, would you like to come forward with your quest.

I think many of you know Emily Bell from the Pittsburgh Post Gazette, town crier, and we have another honored quest Mr. Chris Poole from Alberta, Canada. On a lighter note this morning.

Good morning, Emily. How are you? Emily is from Councilman Cohen's district and my district, from Bloomfield.

THE CHAIR PRESENTS

No. 876 WHEREAS, since 1989 Chris Poole has been the officially recognized town crier for the Town of Hinton, Alberta, Canada, where he was so recognized by Mayor Ross Risvold; and

WHEREAS, Chris Poole is visiting the City of Pittsburgh, having learned of the treasures of our fair city from Pittsburgh's official town crier, Emily Bell, during the Sixth World Town crier Championship in Ballarat, Australia in November 1995 and during the North American Town crier Championship in

Hamilton, Ontario, Canada, earlier this month; and

WHEREAS, Chris Poole, who also serves as an animal control officer for the Town of Hinton, Alberta, in the tradition of the old beadles, is the only working town crier in Alberta and has been plying his trade as a town crier for some twelve years now; and

WHEREAS, Chris Poole, who originally hails from Kingston upon Thames, England, in his capacity as the official town crier for the Town of Hinton, Alberta, greets the Canadian Premier and other dignitaries visiting Hinton, and recently won the honor of being proclaimed "Third Best Canadian" at the World Town crier Championship this year.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby warmly greet and welcome Chris Poole; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim Tuesday, July 23rd, 1996 to be "Chris Poole" day in the City of Pittsburgh.

SPONSORED BY COUNCILMAN JIM FERLO

MR. CUSICK moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed. **The Chair:**

Again, we want to thank Emily. We always see her out in front of the City-County Building making her grand pronouncements' and we applaud her and she's been very active in the community also in Bloomfield and elsewhere. And, one thing about Emily, she travels all around the country with her tremendous outfit on and she's actually kind of a goodwill ambassador for the City of Pittsburgh, something Administration and this Council have long supported and that is getting out and promoting the greatness of our city and as part of that we have -- and she kind of captured somebody to come back here and got Mr. Poole interested in visiting our great City of Pittsburgh so it's with a warm hello and welcome that we extent a greetings to you, sir, welcome to the great City of Pittsburgh, United States of America. Mr. Poole, you may have some words up here.

Mr. Poole:

I accept the honor, not for the honor it does to me but for the honor it does to my community. Like Emily I am a tourist ambassador, a goodwill ambassador from my community to the other communities I visit and to that end.

"Oi yeah, Oi yeah, Oi yeah Council President Ferlo, Pittsburgh Council as old and through you the good citizens of this pearl of a city." I come before you with the permission of your own town crier as is required and I am commanded by my Mayor Ross Risvold to bring greetings from the Town of Hinton. This I do with the right good will.

The Town of Hinton, the gateway to the Rockies is a gem of a town on the Yellowhead Highway in West Central Alberta. A town of 10,000 people Hinton earns a living from paper milling and coal mining and of these intrusive industries can be carried out without major industrial impact is a tribute to the reclamation and the recognition of the value of our third industry, tourism.

Now, whereas a tourist has been described as one who travels to find things are different and complains that they're not the same. Let it be known that we offer you a world of difference in Hinton, in evergreen country and sufficient that is the same for all travelers to be comfortable.

I urge all who hear this to make the effort to come and visit us. We want you to feel welcome because you will be welcome. Proclaim aloud in the City of Pittsburgh, this 23rd day of July, in the Year of Our Lord, 1996. May the Lord bring peace to and through these United States of America. God save the Queen.

Mr. Cohen:

Mr. President.

The Chair:

Councilman Cohen -- and thank you for the wonderful pin and lapel pin. We will wear it proudly. Councilman Cohen.

Mr. Cohen:

I do want to welcome the gentleman. I had the privilege many years

ago of visiting Alberta, a little town called Pincher Creek and it was a beautiful, beautiful country at the foot of the Rockies and I just welcome you here and wish you the best of luck.

Mr. Poole:

Fortunately, that gateway swings both ways. You come through Hinton to get to the Rockies and I came through the gateway to come here.

Mr. Cohen:

Thanks for coming.

The Chair:

Thank you all. Congratulations and welcome to our great city.

I don't know how long you're staying but hopefully you'll be able to see some of the Regatta, it's a great event.

I have one to be read into the record.

THE CHAIR PRESENTS

No. 877 WHEREAS, cyclical social, economic, and political conditions exacerbate the persistence of hunger and poverty throughout the world, causing 40,000 children to die daily from hunger-related causes; and thousands of Allegheny County residents must also seek and rely on assistance to obtain sufficient food and adequate diets; and

WHEREAS, hunger hurts us all by afflicting the physical and intellectual development of children, debilitating the

elderly and disabled, and stripping adults of their capacity to be independent and productive; and

WHEREAS, Church World Service/CROP originated the "walkathon" concept as a fundraising method in 1969; and 1996 marks the 50th anniversary of Church World Service and the 25th anniversary of CROPWalks in Pittsburgh; and at least three CROPWalks will take place in City neighborhoods in October, 1996; and twenty five percent of the funds raised are returned to hunger agencies in the neighborhoods where the walks occur; and

WHEREAS, the good people of our City are traditionally swift and generous in offering aid to those in need.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Church World Service for its tireless efforts on behalf of hungry people throughout the world; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim October, 1996, as CROPWALK MONTH in the City of Pittsburgh, and urges the citizens of Pittsburgh to participate with Church World Service to support the CROPWalks.

SPONSORED BY COUNCILMAN JIM FERLO

MR. COHEN moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

Moving to Presentation of Papers. MR. COHEN PRESENTED

No. 878 Resolution providing for an Agreements with a consultant for professional services for the Mayor's Youth Initiative for Serious Offenders; at a cost not to exceed \$163,700.00, chargeable to Code Accounts 4-90-01-5000-96-553-96-90, and YCPC/MYI.

Which was read and referred to the Committee on Public Safety Services.

MR. HERTZBERG PRESENTED

No. 879 Resolution authorizing an Agreement with a vendor for the sale of equipment located at the City's Asphalt Plant and costs associated with marketing the plant at a cost not to exceed \$15,000.00, chargeable to and payable from Code Account 1127.

Which was read and referred to the Committee on Lands, Buildings & Procurement.

Mr. Hertzberg:

Mr. President, if I can interrupt.

The Chair:

Yes.

Mr. Hertzberg:

The name of that resolution I don't think is indicative of what it says

which is the sale of the Asphalt. It says purchase.

The Chair:

Thank you.

Mr. Hertzberg:

For clarification.

MS. McDONALD PRESENTED

No. 880 Resolution approving execution of a Disposition Contract by and between URA and Ebenezer Baptist Church for the sale of Parcel Nos. 74 and 75 (Block 10-N, Lots 189, 190, 191, 192, 193, 194, 195, 196, 198) in the 3rd Ward of the City of Pittsburgh for \$4,000.00, Redevelopment Area No. 31.

Also,

No. 881 Resolution authorizing the URA to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh, being designated as Block 10-N, Lots 189, 190, 191 and 196, under the Residential Land Reserve Fund.

Also,

No. 882 Resolution approving execution of a Disposition Contract by and between URA and Herman J. Heyl for the sale of Block 14-B Lot 313 in the 18th Ward of the City of Pittsburgh for \$400.00 plus costs--Industrial Land Reserve Fund.

Also,

No. 883 Resolution authorizing the URA to acquire all of the City's right, title, and interest, if any, in and to the publicly owned property in the 18th Ward of the City of Pittsburgh being designated as Block & Lot 14-B-313, under the Industrial Land Reserve Fund.

Also,

No. 884 Resolution approving execution of a Disposition Contract by and between URA and Mastro Ice Company for the sale of Parcel 127-A (Part) in the 5th Ward of the City of Pittsburgh for \$3,000.00--Redevelopment Area No. 32 (Lot Expansion for Utility Use).

Also,

No. 885 Resolution Approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Etta L. Cox for the sale of Parcels 184 and 185 (Block 22P Lots 256 and 257), in the 21st Ward of the City of Pittsburgh, in Redevelopment Area No. 27--1413-1411 Stedman Street--Council District No. 6 (rearyard).

Also.

No. 886 Resolution accepting the dedication of a parcel of land in the 25th Ward of the City of Pittsburgh in Redevelopment Area No. 49 from the URA for public use as a parking lot for a police station, 814 Jacksonia Street-Council District No. 6.

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MR. ONORATO PRESENTED

No. 887 Resolution providing an Agreement or Agreements with Trans Associates Engineering Consultants, a consultant, for the purpose of providing transportation and parking impact study of the Federal North Redevelopment areas, at a cost not to exceed \$15,000.00, chargeable to and payable from the 1993 Capital Budget, Department of City Planning; Account name: Improvements to Support Private Development Initiatives, 03-35-05-0147-93. Also.

No. 888 Resolution authorizing and directing the Mayor to enter into an Agreement/s with social service agencies, professional service consultants, vendors or contractors, and providing for administrative/staff costs related to the implementation of the Enterprise Community Grant Program, at a cost not to exceed \$2,947,368.00.

Also,

No. 889 Resolution authorizing and directing the City Controller to create a trust fund, to be designated the Enterprise Community Grant Program Trust Fund (ECGPTF) for the deposit of monies from the Pennsylvania Department of Public Welfare or other sources and authorizing the use of the monies deposited into said trust fund to support the implementation of the approved Federal Enterprise Community Plan including: but not limited to: Community Internet Access (professional services. hardware acquisition, operating expenses); SPEDD Entrepreneurial Program (professional services re: small business development); childcare system); After School/youth violence prevention; Ezone Coordination (professional services, equipment, office expenses 5 years)

Also,

No. 890 Resolution Approving a conditional use exception under Section 993.01(a)A(4) of the Pittsburgh Code, Title Nine. Zoning. Article V, Chapter 993, to Warren E. Gottschalk (Warren Associates) for authorization to demolish a 2-1/2-story building and replace it with a community parking area with a maximum of 7 parking stalls to be located at 2814-2816 McDowell Street on zoned "R3" Multiple-Family property Residence District, 27th Ward.

Which were read and referred to the Committee on Planning, Zoning & Land Use.

MR. ONORATO FOR MR. RICCIARDI PRESENTED

No. 891 Resolution granting unto Duquesne Light Company, 411 Seventh Avenue, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a new electrical vault on a portion of the right-of-way on Oliver Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

MR. ONORATO moved to suspend Rule 8 providing fro consideration of the bill only until or after the calendar day

following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

MR. UDIN PRESENTED

No. 892 Resolution Providing for the issuance of a \$995.00 warrant in favor of Lee G. Grant in settlement of claim for sidewalk damage due to City tree roots.

Also,

No. 893 Resolution Providing for the issuance of a \$1,287.32 warrant in favor of Thomas Thewes in settlement of claim for an accident involving a City vehicle.

Also,

No. 894 Resolution providing for the transfer of funds from various code accounts to various code accounts citywide.

Also,

No. 895 Resolution providing that the Mayor and the Director of Finance enter into an agreement or agreements with a travel agency or agencies for the purpose of consolidating the City's travel requirements.

Also.

No. 896 Resolution Providing for the advertisement for proposals and to award and enter into an agreement(s) and/or contract(s) or use existing agreement(s) and/or contract(s) upgrades to the City's existing information system infrastructure for the purchase to include equipment. supplies, communication, hardware, and software, at a cost not to exceed \$115,000.00. chargeable to and payable from Code Account 03-90-01-0044-96, Bureau of Information Systems, Department of Mayor.

Also,

No. 897 Resolution providing for the conveyance of certain property in the First Ward of the City of Pittsburgh to the Public Parking authority of Pittsburgh for the sum of \$1.00. This piece of property is currently designated as part of Parcel 3 in the Revision 2 of the Improvement Subdivision Site Plan of the Public Safety Complex.

Also,

No. 898 Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED

No 899 Resolution providing for the issuance of a warrant in favor Lexis-Nexis in the amount of \$1,702.78 in payment for computer user research services for the month of June, 1996, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, City Council. (SPONSORED BY MR. FERLO)

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 900 Communication from Mulugetta Birru, Executive Director the Urban Redevelopment Authority, submitting the "Position and Salary Report" consisting of names, positions and salaries of all full-time, temporary and part-time employees of said Authority as of June 30, 1996.

The Chair:

That concludes our Read and Adopted and Presentation of Papers. Under Unfinished Business, I'd like to ask one of my colleagues, Councilman Cohen, could you please see if Mr. Cusick is on the floor.

Mr. Cohen:

Yes, Mr. President.

The Chair:

As a courtesy I believe the Councilman did step out for a couple of minutes, we'll get him back in the room here.

Okay, now, will you go get Councilman Cohen.

UNFINISHED BUSINESS

The Chair:

Thank you very much. Under Unfinished Business, we have a communication from the Mayor and I would ask the City Clerk to please read it.

THE CHAIR PRESENTS

No. 901 Communication from Mayor Tom Murphy, returning with his veto on Council Bill No. 370--an Ordinance amending the Pgh Code, Title Nine. Zoning, Section 903.02(a), and Council Bill No. 371--an Ordinance amending the Pgh. Code, Title Seven, Business Licensing, Chapter 777.

Which was read, received and filed.

The Chair:

Thank you very much. Under Council's rules of procedure and Robert's Rules of Order, the question before the body is shall the bill become a law notwithstanding the objections of the Mayor.

If you're in favor of the bill as originally voted, you would vote "aye" to override the bill, the veto, and to support the bill. If you're opposed, you would vote "no". Is there a motion for purposes of discussion?

Mr. Cohen:

So moved.

Mr. Onorato:

Seconded.

Which motion prevailed.

The Chair:

The question before the body is shall the bill become a law notwithstanding objections of the Mayor. Again, if you're in favor of the bill and voting to override you would "yes". If you're opposed to the bill and you want to sustain the Mayor's veto, you would vote "no". Is there discussion.

I just want to say that as a sponsor of the bill, very quickly, I've spoken at two public hearings before the Planning Commission on this bill. I've spoken at the City Council public hearing and two Standing Committee Meetings earlier, prior to a final vote. At no time did I sense other than support from the Administration, the Planning Department staff and BBI staff in support of this legislation. So, it's a little bit perplex at the veto. That's really all I have to say. I can really contribute nothing more to why I believe in my heart that this is an appropriate, reasonable bill and there was no community opposition.

I do respect my colleagues who did eloquently state their opposition, I respect that but I would ask my colleagues please consider to override the Mayor's veto as you have originally supported the bill. Other discussion, Councilman Onorato.

Mr. Onorato:

I just want to add that; one, I applaud the Mayor for vetoing the bill. I

voted "no" and I still think this is going to help the problem bars.

I received three or four calls yesterday from some of the bar owners in my district and the majority of the calls, not all of them, were actually the types of bars that do not deserve two more machines and I let them know that and I think that was ironic that they called me to lobby for it.

All of the bars that I consider very good establishments I did not hear from in my district which confirms my belief. The people that actually want these machines are the bars that I'm trying to shut down in my district so I would urge my colleagues to sustain the veto and hopefully vote "no" on the bill.

The Chair:

Thank you, Councilman. Councilman Cusick then Mr. O'Connor.

Mr. Cusick:

I'm very happy that this Council is going to have a second chance at this bill and I think it's something that's good for the community, something good for the small businessmen in our community and it will help them to enhance their businesses. I only look at it that way.

I, unlike Mr. Onorato, have had several calls from establishments in my district that I'm very happy to say deserve the opportunity to have additional machines in their facility. So having said that, I would like my comments to be brought forward from the Wednesday

meeting in discussion on this particular bill.

(REMARKS--SEE ADDENDUM)

The Chair:

Thank you, Councilman. Councilman O'Connor then Mr. Hertzberg then Mr. Udin.

Mr. O'Connor:

Again, I'll be voting "no" but I'm not really against it as much for the machines and supporting the good small business people who have them. My main concern is the City is not getting enough money and I hope to look for some kind of legislation that will improve. I think these machines are good money makers for small business but I think the taxpayers in the city should be getting more of a share of it that's why I can't support it.

The Chair:

Thank you, Councilman. Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. As this legislation was initially drafted, I did not support it. I felt then maybe the way the Mayor seems to feel now. That with unregulated potential gaming with some of these machines it was a problem and that was the problems that there were in my Council District. That is facilities that are front type of operations with a number of video poker machines somewhere in the back.

Through the wisdom of planning and your flexibility in changing this and narrowing the category down to just those establishments that have liquor licenses, I think we've accomplished the result of regulating these facilities rather than what the Mayor refers to in his message to us as unregulated. I think we have severe regulation by the state and liquor license establishments and I'm going to continue to support this.

The Chair:

Thank you. Councilman Udin then Mr. Ricciardi then Councilwoman McDonald.

Mr. Udin:

I didn't have anything.

The Chair:

I'm sorry, I apologize. Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President and colleagues. Mr. President, I understand the intent of the bill that is giving flexibility to business owners that have establishments that hold liquor licenses and the flexibility of increasing amusement units in terms of the machinery that's permitted of premise. After one year, we will see obviously what type of units were increased. Obviously, I hope that bars increase units such as dart machines, bowling games and other amusements of that nature.

I'm very fearful and I expressed this during debate on the bill that the overwhelmingly increase in units will be of gaming devices and that's the reason I didn't support the bill. I'll be voting "no" today. Thank you.

The Chair:

Thank you, Councilman. Councilwoman McDonald.

Ms. McDonald:

I will be voting in the affirmative. My philosophy is that this bill is only going to help those establishments who already have some type of amusement arcade devices within their facilities. You're only increasing it to two. You're not giving, I say, carte blanche to any establishment who is not already positioned to have these type of devices within their facilities so I will be voting in the affirmative.

What I would recommend very strongly is -- and having dealt with nuisance bars when I was on school board with then former President Barbara Burns, is trying to shut one of those nuisance bars down in the North Side because it was a hazard to our children.

I say that Council does need to work with the Administration as well as our state legislator and the governor to really beef up efforts to shut down nuisance bars, to shut down any establishment in which we find illegal gambling. I think that we need to be a city of law and order and if they're doing anything illegal, they need to be pounced upon for their illegal actions.

So, I don't think that this bill is going to inflate any illegalities. anything, I think that it's going to help establish businesses who are legit and it's not throwing the baby out with the bath water but to those businesses is Councilman Onorato, Councilman Ricciardi, especially on the South Side. We really do need to crack down on any We need to keep our establishment. communities safe and keep them safer so I'm willing to look into how we can go about cracking down on nuisance bars on any establishment that is operating with any degree of illegality.

The Chair:

Thank you, again. Before the roll call vote I just want to make it very clear I feel that I have a proven track record in my Council District, over nine years fighting nuisance bars with the leadership and help of the community. We had a very long battle fighting one particular bar across from the Boys and Girls Club. So, I've been in pitched battles when it comes to nuisance bars. I'm just not willing to condemn the profitability of small businesses, taverns and restaurants who at least in my Council District, 98 percent of them are good establishments. I think there are any number of laws and opportunities that we have that work with the Nuisance Bar Task Force, the State LCB or anybody else, including community pressure and the advocacy of elected officials to challenge and target those nuisance bars.

I would only ask that you not hold hostage the ability of many small businesses to earn legitimate income as well as our own City Building Inspection permit coffers. With that, roll call vote on the bill.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Ms McDonald Mr. Cusick Mr. Udin Mr. Hertzberg Mr. Ferlo (Pres't)

AYES 6 NOES 3

VOTING NO

Mr. O'Connor Mr. Onorato Mr. Ricciardi

The veto has been overridden, the bill is now a law.

The Chair:

Thank you very much for your cooperation. Moving to Reports of Committees. Committee on Finance and the Budget, Councilman Udin.

Mr. Ildin:

Mr. President.

The Chair:

Thank you, Councilman Udin.

I do want to remind our colleagues we have a brief post agenda immediately following this meeting regarding the Administration's advocacy in changing state law and the nature of the Business Privilege Tax Collection which Councilman O'Connor brought to the attention of this body a couple of weeks ago.

MR. UDIN PRESENTED

Bill No. 902

Report of the Committee on Finance and Budget for July 17, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 827.

Resolution providing for the issuance of a warrant in the sum of \$25,000 to David R. Heinbaugh and Kim Heinbaugh, C/O Dante G. Bertani, Esquire, Union Trust Building, 102 N. Main Street, Greensburg, Pa 15601, in full and final settlement of the action filed at gd86-21637 alleging personal injury and property damage sustained due to an automobile accident on Second Avenue on or about December 21, 1984.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Mr. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Bill No. 828.

Resolution providing for the issuance of a \$1,024.00 warrant in favor of James M. Costello in settlement of claim for sidewalk damage as a result of City tree roots.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Ricciardi Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Ferlo Mr. O'Connor (Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 829.

Resolution providing for the transfer of Two Thousand Five Hundred Dollars (\$2,500.00) from Code Account 1022, Index Code 102202, Salaries, to Code Account 1023, Index Code 102301, Miscellaneous Services, Magistrates Court.

Which was read.

Also,

Bill No. 831

Resolution providing for the advertisement for proposals and to award and enter into an agreement(s), professional services agreement(s), and/or contract(s) or use existing professional services agreement(s). agreement(s), and/or contract(s) for matching funds in conjunction with a Federal grant for the Copsmore Program for any and all expenses and salaries associated with the purchase of new/replacement computer equipment, supplies, software and/or communications equipment, analysis, design, development, programming and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems.

Which was read.

Also.

Bill No. 832

Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with the Pennsylvania Economy League for the purpose of establishing the Competitive Pittsburgh Task Force.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

Ayes:

Mr. Cohen Mr. O'Connor Mr. Hertzberg Mr. Udin Ms McDonald

AYES 5 NOES 1

(MR. FERLO, PRES'T, VOTING NO)

(MR. RICCIARDI ABSTAINING)

The bill having received the legally required number of votes passed finally.

Also,

Bill No. 833

Resolution providing for the acceptance by the City of Pittsburgh from the Housing Authority of the City of Pittsburgh certain property in the 15th Ward in the City of Pittsburgh for public greenway purposes to be an addition to the Hazelwood Greenway at no cost to the City of Pittsburgh.

Which was read

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Ricciardi Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Ferlo Mr. O'Connor (Pres't)

AYES 7 NOES none

The bills having received the legally required number of votes have been approved finally.

The Chair:

Committee on Public Works, Water & Environmental Services, Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President.

The Chair:

Thank you, Mr. Ricciardi.

MR. RICCIARDI PRESENTED

Bill No. 903

Report of the Committee on Public Works, Water & Environmental Services for July 17, 1996, transmitting two resolutions to Council.

Which was read received and filed.

Also, with an affirmative recommendation,

Bill No. 793

Resolution granting unto Raymond Stewart, 434 Walde Street, Pittsburgh, Pennsylvania 15210, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, a parking pad on a portion of the right-of-way on Walde Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 826

Resolution granting unto Edward and Cecilia Wlodkowski, 2837 Summer Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence on a portion of the right-of-way on Flynn Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the role.

Ayes:

Mr. Cohen Mr. Ricciardi
Mr. Cusick Mr. Udin
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)

AYES 7

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Planning, Zoning & Land Use, Councilman O'Connor for Mr. Onorato.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Mr. O'Connor.

MR. O'CONNOR FOR MR. ONORATO PRESENTED

Bill No. 904

Report of the Committee on Planning, Zoning & Land Use for July 17, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 823

Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreement or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed \$200,000.00.

Also, Bill No. 824

Resolution amending Resolution #206, approved April 11, 1996, entitled providing for the implementation of a Residential Parking Permit Program (RPPP) Area "Y" in the Shadyside

community (Council District #8) pursuant to Pittsburgh Code Chapter 549, so as to amend the streets included in Area "Y".

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
(Pres't)

AYES 8

NOES none

(MR. O'CONNOR ABSTAINING)

The bill having received the legally required number of votes passed finally.

Also,

Bill No. 825

Resolution amending Resolution #121, approved March 12, 1996, entitled providing for the implementation of a Residential Parking Permit Program (RPPP) Area "X" in the Shadyside community (Council District #8) pursuant to Pittsburgh Code Chapter 549, so as to amend the street included in Area "X".

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Councilman Cohen.

Mr. Cohen:

Mr. President, I would like my comments brought forward on Bills 824 and 825. And, also, we did ask for a breakdown of the consultant contracts in the Planning Departments. I do not recall receiving a written breakdown of those contracts. Do you, Mr. President?

(REMARKS--SEE ADDENDUM)

The Chair:

No, I don't believe so.

Mr. Cohen:

Because we wanted to see exactly where this money was going and which projects it was going toward. A natural, of course, hesitancy about consultants.

The Chair:

Which bill was that?

Mr. Cohen:

That's Bill 823.

I may have missed it if any other Council Member received such a memo from the Planning Department.

The Chair:

I don't believe we received it. We specifically asked for anticipated contracts, not actually the formal scope of services, but we did ask the Planning Department to give us a sense of how they were going to expend these dollars and what type of management and/or consultant reports were being requested. We did not receive the information. I don't know what the pleasure of the body is, if you want to recommit this or -- I'm voting against it because I think they should come each time to us. I think we have an Administration that has consultantitis and I think we should review each time what the consultants are and understand what the scope of services are.

Mr. Cohen:

I think the chair of this committee stepped out just for a moment. I would like to ask if we could hold this bill until he comes back to see if he will be willing to recommit this bill.

The Chair:

Well, it's very difficult to do that in the middle of the voting. I would ask for either a motion to recommit or that we either abstain or vote no on the bill and it will be recommitted --

Mr. Cohen:

-- motion to recommit.

Mr. O'Connor seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Bill 823 is recommitted and presumably if we could ask the Director or her representative to attend the meeting tomorrow and give us a better breakdown of what the actual expenditures — I think there is obviously a majority support to approve these funds. We would just like to have an explicit understanding of how and what contracts or consultants will be hired and for what reason.

On the remaining bills, roll call vote.

The ayes and notes were taken agreeably to law and were:

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
	(Pres't)

AYES 8 NOES none

(MR. O'CONNOR ABSTAINING)

The bills having received the legally required number of votes are passed finally.

The Chair:

Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you, Councilwoman.

MS. McDONALD PRESENTED

Bill No. 905

Report of the Committee on Housing, Economic Development and Promotion for July 17, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 813

Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$255,000.00, chargeable to and

payable from the 1996 Community Development Block Grant Program, Department of City Planning.

Which was read.

Also,

Bill No. 814

Resolution providing for an Agreement Agreements with Pittsburgh Partnership for operating and/or administrative expenses of their agency involved in а variety community/economic development activities, at a cost not to exceed \$385,000.00.

Which was read.

Also,

Bill No. 815

Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$585,000.00.

Which was read.

Also,

Bill No. 816

Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen

Participation Process and providing for the payment of the cost thereof at a cost not to exceed \$225,000.00.

Which was read.

Also,

Bill No. 817

Resolution providing for an Agreement or Agreements with a consultant or consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities, commercial revitalization planning assistance, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program at a cost not to exceed \$24,250.00.

Which was read.

Also,

Bill No. 818

Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs in Community Development Neighborhoods, and for the development of floral beds on highly visible, vacant lots in the City of Pittsburgh at a cost not to exceed \$50,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 9

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you, Councilman Hertzberg.

MR. HERTZBERG PRESENTED

Bill No. 906

Report of the Committee on Lands, Buildings & Procurement for July 17, 1996, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 834

Resolution authorizing and directing the Cable Advisory Committee to draft proposed amendments to the Federal Telecommunications Act addressing the issues of fee regulation and consumer choice. —(SPONSORED BY MR. FERLO & MR. COHEN)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Mr. Hertzberg:

I'd like to have my comments brought forward. I will be continuing to vote in the negative on this legislation. I think it's not the most productive use that our Cable Advisory Committee can making of their scarce resources.

(REMARKS--SEE ADDENDUM)

The Chair:

Other discussion?

Councilman Cohen.

Mr. Cohen:

I would also like my comments brought forward. This is a bill which merely directs the Cable Advisory Board to come up with a plan, a plan that was initiated by the Chairman of the Cable Advisory Board as a means of really trying to get the cable rates under control, the realization that the City's hands are tied because of Federal Law, and let's try to advocate to try to improve that Federal Law.

(REMARKS--SEE ADDENDUM)

The Chair:

Other discussion?

Roll call vote.

The ayes and noes were taken agreeably to law; and were:

Ayes:

Mr. Cohen Mr. Ricciardi
Mr. Cusick Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES 7 NOES 2

(MR. HERTZBERG AND MR. ONORATO VOTING NO)

The bill having received the legally required number of votes passed finally.

The Chair:

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Mr. O'Connor.

MR. O'CONNOR PRESENTED

Bill No. 907

Report of the Committee on Engineering and Construction for July 17, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 819

Resolution amending Resolution #665, effective August 17. 1989. entitled "Providing for an Agreement or Agreements with a Consultant or Consultants for Design and Project Management Services in connection with the Reconstruction of Wood Street from Boulevard of the Allies to Liberty Avenue: providing for Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; providing for the payment of the cost thereof," by providing for a Supplemental Agreement or Agreements and by increasing the total project allocation by \$200,000.00 from \$855,000.00 to \$1,055,000.00.

Which was read.

Also.

Bill No. 820

Resolution further amending Resolution #161, effective March 22, 1995, as amended by Resolution #551, effective July 12, 1995, entitled "Providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants for Engineering Services in connection with the Design of Phase II of the Reconstruction of Fifth Avenue; and providing for the payment of the cost thereof," by increasing the total project allocation by \$220,000.00 from \$800,000.00 to \$1,020,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Councilman Udin then Mr. O'Connor.

Mr. Udin:

Yes, Mr. President, I'll be voting in the negative on both Bills 819 and 820. My reason for voting in the negative is my concern about the way the City uses both construction and/or -- not construction but consulting contracts and professional services contracts.

I think in many cases, City departments use professional services contracts and increases to existing contracts as a way of avoiding the open market opportunity for other contractors to bid on the work and I just think that the whole contracting process of using consultants and increasing contracts needs and deserves a much closer scrutiny and a closer by this Council so that we know exactly what's going on and that all of the professionals in this city have a fair chance at the market of City business and I'm not certain in the way that we use professional service contracts and increases in existing contracts and "B" contracts et cetera is a fair and open process to all the people who would like to drink from the well of City business and for that reason, I'll be voting at least a symbolic "no" on this -- on these two bills.

The Chair:

Other discussion? Councilman O'Connor.

Mr. O'Connor:

First, I want my comments brought forward and I agree with Mr. Udin and I'll be voting "no" and maybe it's symbolic, too, but there's a 20 percent increase in the cost of the two projects.

(REMARKS -- SEE ADDENDUM)

The Chair:

Other discussion?

Roll call vote.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen

Ms. McDonald

Mr. Cusick Mr. Hertzberg Mr. Onorato Mr. Ricciardi

AYES 6

NOES 3

VOTING NO:

Mr. O'Connor

Mr. Udin

Mr. Ferlo

(Pres't)

The bills having received the legally required number of votes passed finally.

That concludes our Reports of Committees. Under Motions and Resolutions.

MOTIONS AND RESOLUTIONS

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I want to change my vote on 832. I would like to change it to a "no" vote.

The Chair:

Which bill is that, Councilman, 832 in relation to the Economy League -

Mr. O'Connor:

-- Pennsylvania Economy League, another contract.

The Chair:

I don't know if that changes the outcome of the vote.

Mr. O'Connor:

I don't think it changes, I just want it for the record.

The Chair:

Well, we didn't have a quorum at the time so actually the bill would be defeated

Mr. Onorato:

Motion to reconsider Bill 832.

The Chair:

Excuse me. Roll call vote.

Mr. Cusick:

Excuse me, if I may, these bills that I missed today when I was out down in my office --

The Chair:

Roll call vote on Bill 832, just to clarify it for the Clerk's benefit.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Ms. McDonald Mr. Cusick Mr. Onorato Mr. Hertzberg Mr. Udin

AYES 6 NOES 2

(MR. O'CONNOR AND MR. FERLO, PRES'T, VOTING NO)

(MR. RICCIARDI ABSTAINING)

The bill having received the legally required number of votes passed finally.

The Chair:

Councilman Ricciardi, do you have another point.

Mr. Ricciardi:

Yes, just two points. Thank you, Mr. President.

The Chair:

Is this under new -- concerns under Motions and Resolutions?

Mr. Ricciardi:

The Committee of Planning, Zoning and Land Use, if I could be registered in affirmative for all the bills, I stepped out of the room for a few minutes.

And, also, at the last Police Civilian Review Board Public Hearing in Squirrel Hill, I had a gentleman approach me who was hearing impaired and he stated a very good point that these are very important public hearings that are going on, happening and there's more than one and he stated that he thought we should have an interpreter there and I agree with him.

At this time I would like to make a motion, at the next which would probably be either somewhere south of the rivers, hopefully in Knoxville. I would like to make a motion that we allow Linda to look into any Code Account that City Council has under its purview and employ a person with sign language.

MR. UDIN seconded the motion. The Chair:

Thank you very much for making that motion.

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Thank you. Yes. I think a number of us did receive communications. I think that's something we need be sensitive to especially given the community based public hearing meetings that we have where large numbers of residents are in the audience. I think it would be very helpful. I think it's something we all need to learn from.

Mr. Ricciardi:

Hopefully, our Bureau of Cable will somehow also have that over cable.

The Chair:

I'll ask the Clerk what we need with the Cable Bureau and try to figure out how to deal with the logistics of filming the speaker as well as the sidebar signaling, hand signaling.

Mr. Ricciardi:

Thank you.

The Chair:

And, we'll contact a number of advocacy agencies that work on this issue also.

Are there other discussions? Again, I want to remind our colleagues that there is a post agenda. This involves the issue of the Business Privilege Tax information where there's been a change in the state law.

I've asked the Administration to come and explain their position. I think a number of us have mixed emotions on this as well. Our City Controller very clearly has stated his concern about the loss of revenue so again I want to thank you for your cooperation. We'll try to move quickly through that post agenda.

Are there any other matters to be brought before the body? Councilman Udin.

Mr. Udin:

Yes. Just, again, to inform my colleagues that I did look into the question of why the pool at Ammon Pool was not being utilized, that generated some discussion last week,

and have had discussions with the personnel at the Department of Parks and Recreation and the last time I checked, there is nothing being done in the department to really assess what the impact of the fees has made on made on the utilization of the pools, nor to figure out why the pools are not being used, nor to change the system to try to make it better.

I was really struck by the fact that nothing really is being done except people are kind of observing the fact that the pools are not being used and I was reminded of a comment that you made. Mr. President, which at the time I was rhetorical thought beginning to believe that it may have some substance to it of the notion of deliberate obsolescence based on nonutilization of the pools. I think it's a very unfortunate situation. It think that the quality of life in the community deserves and needs the swimming We've cut back on almost pools. everything else in the Parks and Recreation Department.

Certainly the pools could and should be saved and whatever measures are necessary to understand the nature of the problem and to correct it I think would be in order and we should so order the staff of the Department of Parks and Recreation. Particularly, for Ammon Pool I will be convening a community meeting to try to determine exactly what's going on at Ammon and we'll be trying to raise the funds that are necessary so that anyone who is not utilizing the pool for the lack of funds, we will be able to raise funds to pay for

their fees so that people will be able to use the pools.

The Chair:

Thank you, Councilman. Councilman O'Connor.

Mr. O'Connor:

I spoke for the 25th time to the Parks and Recreation concerning your matter and I think what people are missing is, there are six pools you can go to. You can either buy a pass or pay a fee to go to that pool. The other 26, including, Ammon, you cannot buy a permit — again, for the low income it's only \$5.00 for the whole year, or come up with a fee of fifty cents or some fee that a kid can go swimming.

The problem is, especially if you don't have a solid family structure or even if you do, some people don't have the ability to mail or come downtown and get the fees and somehow our Parks and Recreation thinks it's easy. Well, maybe it's easy for them if they work in an office and have stamps and all that readily available but some poor families for whatever reason may not have the ability to mail out, come back or come Downtown.

All we're requesting is to make it easy and we're not asking for -- I don't think you're asking for a free ride even, is make it easy for those 26 pools if a child wants to buy a permit or a family. It's again in a low -- it's only \$5.00 for a year, half the year is over, let's make it \$2.50 to be fair to everybody if that's the problem in the low-income areas.

It's \$5.00 for the regular average neighborhoods who can afford it but I think the thing we're trying to do is make it available so somebody can buy a permit at the pool. You're not talking millions of dollars here. The total take for the whole year was \$175,000 brought in for these pools, that's all across the city so it's not a big number, especially when, as you said, how much money to we just spend on consultants. I think the bill I rejected was \$200,000 for these leagues. Maybe the Economy League can come up with a figure or an idea how to collect a couple cents off some kids in pools.

So, it's beyond me, it's poor management and I'm -- even if we put a can there and collect it, I don't think we're going to lose more than 5 or \$20.00 a day so why the lifeguard can't turn it in at the end of the day or end of the week is beyond me but it's very frustrating and we've been going through it for a couple of years and I see no action on Parks and Recreation to solve the problem.

The Chair:

Again, having dealt with this issue through three mayors, including this one, I make a strong case that there is basically a plan for forced obsolescence for the pools.

We have repeatedly tied fee increases to a request. In fact, there's even a resolution that individuals who want to swim who do not avail themselves with an annual permit shall have an opportunity to pay directly at the respective pool, not the six large

pools or the four regional pools but at each and every pool. I think Councilman Onorato raised this point last week and I think he's correct.

I think we haven't really fully explored setting aside the issue of the fees for a moment. If we're going to have the fees, why not have each and every individual an opportunity for them to pay. Not everybody's going to call up and come Downtown to City Hall to get a permit to swim in the pools, it just doesn't happen that way. No more than people are going to come Downtown to get a permit to go to the movie house once in a while. It's just not practical. It's not business, it's no way to run an organization.

I would ask again that we explore the automated collection of whatever the daily rate would be. Again, not reopening the fee debate at this point. I think we can do that during the budget deliberations but I think clearly we have an Administration that's heck bent on closing pools and I think they're going to come to us in a few months during the budget and say see there's no usage, it's just not practical, we can't afford to pay for it, why should senior citizens pay for kids swimming and the usual rhetoric and fanfare and I think that is going to be an unfortunate situation if we do that abruptly based on the numbers that we have, both attendance and fees.

Mr. Udin:

Just to clarify a point that was made. I have no interest in reopening the issue on the permits. But, to clarify. The fees are not just \$5.00. The fee is \$40.00 for a family of four plus an additional \$6.00 for each additional child. It's \$20.00 for adults, it's \$10.00 for children and the only low-income people who get a discount are those who are able to show a welfare card.

There are a lot of low-income families who are not on welfare or who are not able to show a welfare card and the more the state takes actions to take poor people off of welfare, that number increases. So, it's not just a question of low-income, it actually -- people have to show a welfare card in order to get that discount and if they're poor but not on welfare then they still have to pay the higher fee and that does have an impact on people's utilization and I don't think that the Department has done what they need to do to publicize exactly what the fees are and what the process is for accessing the swimming pools.

The Chair:

But, again, just back to the automated collection. I think if an individual whether it be youth or family were to go and pay an individual fee whether it's a dollar or two, I think at some point they'll realize it might be cheaper to buy the pass even if it is the \$40.00. So, I think having the automated system will actually facilitate the effort on the part of the family to get the annual permit.

Councilman Hertzberg.

Mr. Hertzberg:

I don't know how far we have to go with people to make them aware of the pools and the fees and how to get them. I mean, maybe we should go door-to-door and canvass and be door-to-door salesmen and give commissions to those who sale pool passes. I mean, how far are we going to go with this? If people really want to swim, they can get pool passes and they can go to the pools and if they did have the foresight when it's boiling hot outside to have gotten the things in advance then, you know, you're going to miss a day when it's hot. They're not that hard to get, you don't have to go downtown, there are other locations and

I think what we're seeing is the people that are getting the passes are those that really want to swim, those that really should be there. In fact, I went and took a swim myself in my neighborhood pool last Wednesday with my daughter. The operation there was the best that I've ever seen it since I been going to that pool. The staff maintained control very well. It seemed like everyone that was there appreciated the fact that they had a local neighborhood pool they could swim in, they were very behaved. The fact of the matter is, though, that virtually all of our pools are "no frills" pools.

Let's look at the competition out there for usage of pools and where are people going to go to pools. They can go to the wave pools, we all know where the Wave Pool is at. They can go to Sandcastle with all the sides there. Even some of your pools that are just outside the city, like in Dormont they have a large slide there. We have "no frills" pools.

Now, I've had discussions with Parks and Recreation and we had ongoing discussions and I think it's continuing through the use of the consultant that we approved to look into what we can do in the future to get some more efficiency out of the pools and maybe add a little frills here and there. I couldn't agree more with you, Mr. President, and during last budget hearings I said the answer though is not we're just going to shut half the pools or shut any of the pools. We need to do this in an intelligent manner and we need to start looking at some of these other things that are catching on and that people are interested in.

The Chair:

Again, I don't want to belabor the point but I agree with you entirely. Councilman O'Connor and others have raised the point about not having concessionaire items. Basically, we do run them efficiently, businesslike and maximizing the opportunity to collect revenue and that to me is in a nutshell so I hope the Administration come the Mayor's budget address doesn't point to this summer and say, see nobody came to the pools, we didn't collect that much money, we can't afford to pay for them anymore, because it would be selling everybody short before we've had an opportunity to insist on proper management and again I would re-issue my call for a Parks Director.

Mr. Ricciardi.

Mr. Ricciardi:

Thank you. Colleagues, I think Councilman Hertzberg is right on point. We did, I believe, a tremendous outreach into the neighborhood. Mayor's office did a 10,000 mailing talking about the tags. We also sent home with most of the public school children a leaflet, a pamphlet talking about the tags and I think it's an insult to all families that it's so difficult to come downtown or come to one of the regional pools and purchase tags. I mean, what an insult that people don't know how to fill out an application and come down and purchase tags. The real issue at heart here and I pointed out last time, this is the first time that people cannot use the pools free. This is the first time that all those in the past that received free passes need to pay 50 percent of the initial cost of the full cost and that's what the problem is. experienced it at one of my pools, we had to get over that hurdle, we were able to get over that hurdle and people start purchasing tags. That's the real issue at hand, that's the problem that were facing. That those in the past of low-income now need to pay 50 percent of the cost and remember what a fee is. A fee is cost recovery. That is someone who uses that service which I consider not being part of public safety but someone that uses that service should pay for that service because if they do not we still have the expense of that particular service and Administration through what my votes were of this year and last year we put over a million dollars into the maintenance program and why should people not using the pools, especially

for the senior citizens who do not use the pools why should they pay for the pools through their tax dollars? It should be a fee. We keep going 'round and 'round on the issue. The problem is that people need now pay for the pools and there is a group of people out there who did not pay in the past who do not wish to pay 50 percent of the cost, that's the real issue at hand.

The Chair:

Thank you, Councilman. Final word, Councilwoman McDonald, I think the final word.

Ms. McDonald:

I'm going to try to make it final. I believe that Councilman Udin brought up a point about one specific pool and that was Ammon and his concern that many of the children are not -- many of the families, people surrounding Ammon Pool are not utilizing it. What I'd like to emphasize is this. We have a number -- we should entertain a number of suggestions, not just permit. It shouldn't be an either or.

Every community has it's own uniqueness and how you can get kids to the pool may be a different process on the Hill or on the particular part of the Hill as in another part of the Hill or in Homewood or in the West End or this. So, we should look at each and every pool individually and assess it, not we as Council, but the Administration needs to properly assess at the end of the summer after all the dust is settled what happened at each and every pool. Has it been well attended and if it

hasn't, then why hasn't it? And, then, we need to sit down at the table and find out well what could make it happen. It may be that the permit system is null and void for some pools and we need to have as Councilman Ferlo has been pressing for the past week or so an automated system, some type of machinery.

As far as the logistics that the Administration is using as a rebuttal to this argument that, you know, they don't want people handling money at the pools. Listen, work it out. There's got to be a way to handle the money. First make a decision what you're going to do and then find how you can make it work. I don't accept that. And, at some pools, there may need to be just some type of pay as go system and forget that permit system.

So, again, I think after all the dust is settled each pool needs to be looked at individually. Councilman Udin has concerns about Ammon Pool. There may be residents coming at me later — I haven't heard anything, thank the Lord, about pools in my area.

So, I would say that it's not an either or. Can we just look at each pool as it's own entity? If it's full of people all the time, great, then keep that system, it's working. But for those pools that don't have attendance,

I agree we don't need to make them obsolete. We need to find out what's going to make them work and it's incumbent upon the Administration to make each and every pool work.

The Chair:

Last word, Councilman Udin. And, I think we need to have a fuller discussion at a regular meeting.

Mr. Ildin:

It was most distressing to me, Mr. President, that we are just guessing as to why several of the pools are empty. What was most distressing to me in my conversations with the Department of Parks and Recreation is that they're really not doing anything to find out why the pools are empty. I've asked several times, what is being done to determine what the utilization of the pool is now compared to last year and what the reason for it is and as far as I know to this moment, they are not acting on this problem at all and so we're really just kind of shooting in the dark as to what the real problem is. I will try to assess within my district what the utilization is and why it's down low but I don't think it's just a district problem, I don't think it's just Ammon Pool and the fact is that the Department responsible for the management and providing a customer friendly service does not, in my view, seem to be on the iob.

The Chair:

Thank you very much. So, you'll be convening on Ammon, I'm sure we'll use it as an opportunity to discuss a number of issues.

Other points? I want to raise a quick good and welfare point and I'm just going to be very brief about this. There is an innuendo going around in the last week, either propagated by one

or more of my colleagues or the Deputy Mayor and others in the Administration, and that regards the earlier bill regarding the additional amusement arcade devices.

I want to make it clear and I state it very clearly for the last many months when I presented this bill and spoke before the Planning Commission, to all of you privately, as well publicly that I made it clear that I submitted the legislation because I believed that many taverns and restaurants in my Council District and in fact it was one of them that brought it to my attention initially were in favor and desirous of having additional machinery without the bureaucracy of the special exception planning obligation.

I viewed it as a bill that would help many taverns and restaurants notwithstanding Councilman Onorato's legitimate point about one or more nuisance bars that may also unfortunately benefit and I want to make it clear that was the purpose as well my desire to increase revenues to the City coffers in the form of fees. That was clearly what I'd discussed with the Administration right from the beginning who expressed a clear sign to me especially in BBI that they are supportive of the bill.

Now, apparently there is an employee in the City Controller's Office who is involved in the vending business that's his prerogative. I assume he's involved legitimately in a small business and I want to put to rest any innuendo or any inference that somehow I either written or submitted a

bill or have gained either personally, politically or what have you from a friendship that I have with this employee in the Controller's Office or any notion thereof and I want to put to rest, it's a good and welfare point. If somebody wants to criticize me, I would ask that they do it publicly so I have a chance to respond but I'm not going to allow innuendoes to be cast by the Deputy Mayor or anybody in the Administration.

I know we have heated debates in these Chambers, I know the Mayor's out of town, I know the Mayor's upset with me on a number of fronts. including my concern on the Civilian Review Board, the Business Privilege Tax and probably fifteen other issues but I think it's inappropriate and I just think it's wrong and I'm not going to allow it to happen. I mean, I will If somebody's going to respond. impugn my character, my integrity or my motivation in what I do here as a public official. I can tell you right now I will grit my teeth, I will pound on the table and I will raise any objection and counter any accusation and I resent any innuendo and I just wanted to say that for the good and welfare of this body and more importantly for the good and welfare of my own integrity and why I'm motivated for what I do down here.

Having said that, are there any other matters to be brought before the body?

Thank you very much. We need a motion to adjourn and to approve the minutes.

MR. RICCIARDI moved to approve the Minutes of Tuesday, July 16, 1996.

MR. UDIN seconded the motion.

Which motion prevailed.

And on the motion of MR. RICCIARDI

Council adjourned.

Sandra L. Washington Stenotype Reporter

NOTE TO ALL COUNCIL:

PLEASE BE ADVISED THAT THIS TRANSCRIPT DOES NOT INCLUDE COMMENTS.

ADDENDUM

- Councilman Cusick comments -on Bill No. 901 can be found in the Standing Committees Meeting minutes of July 17, 1996
- Councilman Cohen comments -on Bill
 No. 824 and 825 can be found in the
 Standing Committees Meeting
 minutes of July 17, 1996.
- 3.Councilman Hertzberg and Cohen comments -on Bill No. 834 can be found in the Standing Committees Meeting minutes of July 17, 1996.
- Councilman O'Connor comments -on Bill No. 819 and 820 can be found in the Standing Committees Meeting minutes of July 17, 1996

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, July 30, 1996

PRESENT:

Mr. Cohen Mr. O'Connor
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. Onorato (Pres't)

The Chair:

Good morning, everyone. City Council's Legislative Session will now come to order.

Good morning, everyone. I would like to say a special hello to all the B.I.G. League sports players here in chambers today. I know we have a special proclamation which we're going to get to very shortly being offered by Councilman Onorato and all of our colleagues.

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have a student here this morning, Dominic Barberie. Dominic is 10 years old. He's going to be going into the 6th Grade at Reizenstein School. He's a resident of Highland Park, my council district. He's the son of Rose and Michael Barberie. He has a sister Kathy and a sister Joey who's a little pain in the neck; right? And, Dominic likes football, baseball and computer's. In fact, he likes baseball so much he plays both left and right field and I said that was pretty good and he said, well if you think that's good he plays them at the same time.

Dominic is going to lead us in the Pledge of Allegiance.

Dominic Barberie:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Thank you, Dominic. Our City Clerk would like to present you

with the flag of our nation and the flag of our city and we want to thank you for coming down here today and I know you're going to be spending the morning here working on our computers.

PRESENTATIONS

The Chair:

At this time, I'd like to call on Councilman Onorato.

Mr. Onorato:

At this time, Mrs. Herrmann, you want to come forward and your guests. Does your brother want to come up, too?

Mr. McKenzie is going to be taking pictures, Mrs. Herrmann's brother here.

Colleagues, you might have read this article and Dorry from my office is going to pass it out so when you get a chance if you could read this. It's a story, a tragic story, but one that we're all going to try to help Mrs. Herrmann in putting a lasting memory of her grandson over on the North Shore.

I'm going to read the proclamation and say a few words but I'm going to turn it over to Mrs. Herrmann who can tell you about the story and about the individuals but when you get a chance please read the articles.

MR. ONORATO PRESENTS

No. 908 WHEREAS, on Friday, July 26, 1996, Mrs. Doris Herrmann traveled to the North Shore to

set up her own personal memorial to her 7year old grandson, who was killed during the Three Rivers Regatta Festivities eight years ago; and

WHEREAS, Mrs. Herrmann has made this pilgrimage annually, since the tragic accident on August 7, 1988, when her grandson, James "Jim Jim" Herrmann was fatally injured and twenty-four others were hurt; and

WHEREAS, Mrs. Herrmann's son James, and granddaughter Ashley were also seriously injured in the regatta accident; and

WHEREAS, Mrs. Herrmann is trying to build public support for a memorial to all those who were injured in the 1988 regatta accident; and

WHEREAS, Mrs. Herrmann would like to have a small plaque placed on the site with not only her grandson's name but the names of all who were injured; and

WHEREAS, this memorial would be an essential component to her family's recovery and healing from their scars and loss; and

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby supports Mrs. Doris Herrmann in her quest to have a plaque with the names of all the injured placed at the site of the August 7, 1988 regatta tragedy and vows their help in making this memorial a reality.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Onorato:

Ironically, in 1988 which was 4 years before I was on Council, I was down there with a lot of friends watching this event. I did not know Mrs. Herrmann and I was probably 100 yards away from the accident and I can remember standing there and pointing out saying, boy that boat looks like it's going out of control and watched it dive off the water onto the land of the North Shore.

Little did I know that our paths would cross several years later when I was running for office and Mrs. Herrmann I got to know who lives in Pressley High Rise on the North Side and throughout the year when I was running, she made the comment to me when I was visiting her in her apartment and showed me some of the clippings and the vivid of what I watched and knowing then personally someone who had to go through this tragedy.

Mrs. Herrmann is a strong supporter. She's also a very good friend of mine and I want to do whatever I can to help her and her family out and I think it's important that this is something that can happen.

Several months ago, I ran into Mr. Connelly and I just happen, in passing, to talk about Mrs. Herrmann and I do want to say that he was very receptive to helping. We didn't talk about details of what we

would do but he was receptive to the idea and I gave Mrs. Herrmann my commitment that we will sit down and make this a situation where we can all be on board, everyone from the Regatta promoters to us as elected officials and to Mrs. Herrmann and to her family so that we can have a memory and to recognize the changes that took after that to provide safety to everyone that comes into the city for the Regatta, the hundreds of thousands that watch this event.

At this time, Mrs. Herrmann, I'd like to give you the proclamation and have you say a few words. Thank you for coming down today, too.

Mrs. Herrmann:

On behalf of my family and -- I'm sorry, myself I would like to thank the Council for their support in this. It's been a hard 8 years. This year of Regatta makes 8 years and Jimmy would be 15 years old on August 1st and the seeing all these little leagues here today is really something because he might have been on one of these teams if he was here with us today.

My son just had his 20th operation on May 9th of this year and if this operation don't work then the next step is amputation of his foot from the accident. My granddaughter is doing pretty well. She limps, she gets a lot of laughs at school and that but I say, honey you're a strong girl you can take it.

So, again, I thank everybody here. All the Councilmen, the Councilady and thank you again and God bless all of you.

Mr. Onorato:

Well, Mr. President, we have to figure out logistically how to do this but I say we try to get them all up here at once. All the B.I.G. Leaguers, Little Leaguers, Colt Leaguers, whatever you want to call your names, all the kids come on forward at this point. We're going to put you all up here. We've done this before. We can get you all in up here.

The Chair:

Coaches and parents are also welcome to join us up front.

Mr. Onorato:

And, Mr. Lou Polito, I think he's here. Sam Mastromatteo couldn't make it but Lou's here. There he is. Lou come on forward.

The Chair:

If you're my size, get in the front. If you're taller, get in the back.

Mr. Onorato:

Once we have the children up here or the young adults, my colleagues please join us. This is all of ours. These are from all over the city. We're all sponsoring—we'll let them go up front here. We're going to talk about the neighborhoods in a few minutes.

The Chair:

Some of you guys can come up here to the right if you want to.

Mr. Onorato:

Right. Go all the way around by Councilman Udin.

The Chair:

If you could put some of the smaller size in the front and taller kids in the back. Come on guys, come on up here.

Mr. Operato:

Keep coming around.

The Chair:

I hope we have a wide-angle lens this morning.

Mr. Onorato:

Come on, Councilman Hertzberg, we understand your neighborhood had a championship, you're allowed in this picture too. There were three of them. Okay. We're going to talk about them. Do we have everyone up front at this point?

The Chair:

Hopefully.

Mr. Onorato:

My colleagues are here, too. Before I read the proclamation, I want to congratulate everyone that participate in B.I.G. League. There's a lot of teams that aren't here today and what you have represented here today are the teams that played in the championship games at all different levels, the winners and the losers of that game but both of you have come a long way to even play at the stadium. It

was a long tournament and you achieved a pretty high goal here but more importantly you participated in sportsmanship and the excitement on your face at Three Rivers was well worth my trip down there and I want to congratulate you for taking the time and putting in the time especially the adults who put in their volunteer time. I'll get right to the proclamation.

MR. ONORATO PRESENTS

No. 909 WHEREAS, the Pittsburgh B.I.G. League has been in existence for three years and has served over 3500 youth between the ages of 4 and 18; and

WHEREAS, B.I.G. League involves Little League, Girl's Softball, Pony League, Colt, and R.B.I. for a grand total of 96 teams in 1996; and

WHEREAS, 73 communities Citywide were involved in the B.I.G. League in 1996; and

WHEREAS, the championship games for each division were held in the third week of July with the following results:

- * The Elliott/West team beat Old Allegheny in the Colt League Championship by a score of 9-3.
- * The Sheraden Pony League team defeated Hazelwood by a score of 11-0.
- * The Springview Little League team defeated the Ammon Recreation Center Little League 9-5.

* The Elliott/West End Girls' Softball team won the 1996 Championship over the Lincoln Place Girls' Softball team 9-7

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby congratulates the coaches, players, parents and all those involved in making the 1996 B.I.G. League season a success!

SPONSORED BY COUNCIL MEMBERS DAN ONORATO, DAN COHEN,
JOE CUSICK, JIM FERLO, ALAN HERTZBERG, VALERIE MCDONALD,
BOB O'CONNOR, GENE RICCIARDI AND SALA UDIN

MR. ONORATO moved to adopt the resolution.

MS. McDONALD seconded the motion.

Which motion prevailed.

Mr. Onorato:

Well, I don't know how we're going to do this. We're going to hear from a few people but let me just say first of all that this the youth of Pittsburgh right here. This is a story that doesn't get told enough and you look at the hundreds of children. You heard of 3,500 kids that participate in sports every summer. They don't dominate you news every night but I'll tell you these are the people that are future leaders of this region and I want to thank everyone here for participating in this because you really made all of us proud as elected officials because you really

touched all of our districts and it makes it real easy for us to come down here to kid each other and the competition and to root for our teams and I want to congratulate all of you.

At this time, I'm going to have Lou come forward and maybe you want to point somebody out who wants to speak in addition to you and if any of my colleagues want to come to the mike after you that's fine too.

Mr. Polito:

I'd like to thank City Council for their continued support of the Pittsburgh B.I.G. League program and also Mayor Murphy for his continued support of the program. As Councilman Onorato said, 3 years now 3,500 kids in the City of Pittsburgh. These kids should be recognized for settling their differences on the baseball field and not on the street corner.

We were at Three Rivers Stadium a week ago Sunday and I have to say this, there were no news people down there, nobody from the newspaper or nobody from the news stations were there but if somebody would have got shot or something somebody would have been there. So, I have to say that because these kids deserve the recognition that Council is affording them today and I'd like to thank all you guys for showing up today and for a great season and Todd Aston-Reese, from the champion Pony League in Sheraton, come on over and say a couple of words.

Mr. Onorato:

I'm sure Councilman Hertzberg would be proud of this and he's standing right over here.

Mr. Aston-Reese:

I'd just like to say thanks to my team for a great season thanks to the B.I.G. League for having a great league I guess. That's all I can say really.

Mr. Onorato:

At this time, any of my colleagues -- Councilman, you're close.

Mr. Udin:

Thank you. I'd like to just congratulate all of you. There are no losers, you're all winners and we really appreciate the example you're setting for young people throughout the city. And, to the parents and coaches and other volunteers thank you also. You have a lot to be proud of and you're making a great contribution to even beyond sports to the City of Pittsburgh. Thank you and congratulations to everyone.

Mr. Hertzberg:

Thanks. I am so proud that in Council District 2 with two teams from Elliot, one team from Sheraton that won their B.I.G. League championships. That's 3 out of 4 from Council District 2 and I think the other one, the Little League, we were in the quarter finals, didn't quite make it all the way with the Sheraton teams. We almost had a sweep going here.

I want to commend the parents. I know that without parental involvement and I know myself going to countless all star games, some of which you don't know until the morning that they're going to be played the second round in the afternoon and it goes on and on. There are probably a few tournaments going on and I see hundreds of parents out there making all these trips and juggling their schedules for these kids and working the snack bars and I think without the snack bars or concession stands that all the different leagues are constantly trying to build and update. Without those things, we can't run these leagues and without the parental involvement and all the volunteer work, we can't have these great teams and all the great fun and great character building that we have for all these children so I think we owe a round of applause to all the parent volunteers. And, to the kids I think my daughter learned a great lesson in one of her all star games. A team came out in one of the all star tournaments from one of our local suburban municipalities, I was invited there, had the most beautiful uniforms I've ever seen but our team went out there with their basic uniforms, no names on the back, very -- you know, it was a different color, that was about it and they went out and they killed them so just remember that. It doesn't matter how nice your uniform is. It has nothing to do with it. Don't be intimidated and I don't think any of these teams were and I want to congratulate all these young people for getting involved, for all the hard work and dedication that you were able to achieve whether you won, whether you came in Just to get there is a great achievement and we congratulate you, thank you and wish you good luck.

Mr. Onorato:

At this time, Councilman, Councilwoman, anyone want to say a few words?

Ms. McDonald:

I want to congratulate all the kids. You look good.

Mr. Onorato:

Councilman?

The Chair:

Great work.

Mr. Onorato:

Okay, everyone. Thank you very much. If you want to try to get a photo, try your best.

The Chair:

Okay, smile and say B.I.G. League.

Mr. Onorato:

Thank you. Thank you, everyone.

The Chair:

Lou, if you have the time this morning, I know Councilwoman McDonald's requested some of the kids stay for the next proclamation that she's giving. I'm not sure what the proclamation is but maybe it'll be an important experience.

Again, on behalf of all City Council we want to thank all the B.I.G.

League participants and we especially would like to applaud Lou and Sam and the other staff from Parks and Recreation Department and all the parents and all the community leaders that get involved. It's a great initiative and we all applaud you. Thank you.

Valerie, did you want some of these students up front or --

We have another resolution this morning and if you could please be patient we're logistically trying to jockey everybody around here but Councilwoman McDonald has a gentleman here this morning and for some reason he would like some of the other young people to remain. I don't know if they're going to be used as a prop this morning but we'll allow him to take over the meeting for a couple of minutes at least.

At this time, I would like to call on Councilwoman McDonald and maybe if you could just sit down for a couple of minutes we'll get through this next proclamation and we'll have you out of here on the bus or however you got down here.

Councilwoman McDonald.

Ms. McDonald:

Thank you, President Ferlo. And, thanks to some of the youngsters here who are in uniform but are staying for this special presentation that Council will give to Mr. Dave Parker. Have any of you all seen this gentleman perform? Have you? I have many many times.

I'm going to read the proclamation and I want to put my little two cents in it then I'm going to turn it over to Mr. Parker who is going to make it very special so let me just get through this.

MS. McDONALD PRESENTS

No. 910 WHEREAS, David Parker is a unique personality. He performs, presents, entertains, and motivates all through the art of sign language; and

WHEREAS, David Parker got his start in social work. It quickly became apparent in his professional presentations that he had a gift for entertaining his listeners and involving them in his message; and

WHEREAS, David was born and raised in New York City however, since 1974, he has made his home in Pittsburgh. He has served in the Board of the Pittsburgh Fund for Arts and Education and the Girl Scouts of Western Pennsylvania. He has received numerous awards including the Distinguished Service Award of the National Council on Communicative Disorders in 1994; and

WHEREAS, David Parker tours almost 250 days each year. From Toronto to Tulsa, Seattle to San Diego he delights the crowd. He is comfortable performing at the Kennedy Center, an International Festival, or in front of a classroom. His message is self-esteem, diversity, leadership and creativity. His message is fun; and

WHEREAS, David Parker will be traveling to Atlanta to provide his unique

talent of signing in the 1996 Summer Olympics.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends David Parker, the "Pied Piper of Sign" for opening the lines of communications for the world to hear.

SPONSORED BY COUNCILWOMAN VALERIE MCDONALD

MS. McDONALD moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Ms. McDonald:

I'm going to just put this down and he'll pick it up from here. I also want to recognize Mary Anne Hruska. Marv Anne, you may have seen on the cameras. She is our court reporter for Council. She's been with the City for 20 years and I just found out this morning that Mary Anne also does sign language. She's an interpreter training student. She's been at Community College 3 years and within one year I guess you become official then? So she does signing for religion classes; is that correct? Okay. I'm very proud to have another city staffer here so I just want to congratulate you.

Deafness is something very important. I remember seeing Mr. Holland's Opus at the preview and seeing that infamous scene where the baby was

sitting there and they clapped their hands and the baby didn't respond. I went through that myself and I remember those tears and I remember that pain. So, you understand even within my family, my immediate family, it is an interest to make sure that people can communicate at all levels but I was a little fortunate. My daughter adapted. So, anyway without further due, let's turn this over to Dave Parker and Dave do you --

Mr. Parker:

-- I'll come up here.

Ms. McDonald:

You'll come up here. All right. I'm getting down here.

Mr. Parker:

Good morning. Good morning and thank you. I thank you for this resolution. I thank you for the chance to be here and I perform music in sign language. going to teach you just a couple of signs that we can all do together. Take one hand like this, okay. Take the other hand like this, put it on top of the other, bring it back toward your shoulder and out like that. This is the sign for baseball. Yes. Take one hand and put it over here, the other hand over here. This is the sign for love. Yes. If you point to yourself, this is the sign for I. I love baseball. Let's try that all together. I love baseball. Take your pointer and your thumb and just put it right there on your shirt, or your blouse or your jacket. This is the sign for

Pittsburgh. Yes. Pittsburgh. Let's try I love Pittsburgh. I love Pittsburgh but let's do it with enthusiasm, okay. Instead of just saying I love Pittsburgh since we all know it's a marvelous city. The sign for marvelous is marvelous like this. Since we all know it's a marvelous city, instead of doing I love Pittsburgh like I love Pittsburgh. Let's do it I love Pittsburgh and show enthusiasm at the end by going like this "uh". Let's practice your part. Hand in the air, hand on your hip, on the count of three bring it down like this "uh". Here we go one, two, three "uh". The important thing on the "uh" is to do it real loud, okay. Here we go on three, one -wait 'til three now. Here we go one, two, three "uh". So, we'll do I love Pittsburgh, "uh" on three. Here we go one, two, three I love Pittsburgh "uh". Yes.

Tomorrow morning I get to go to Atlanta to the Olympics where I'll have an opportunity to share one song with the people in Atlanta. The song I'm going to do is the same song I'm going to do this morning. In fact, I'll show you a part in it so we can all do it together. Take your pointer and middle finger, put it together. This is the letter "U". Make a fist. This is the letter "S". Paste your thumb on the side. This is the letter "A". USA. The song is called "God Bless the USA".

(Interpreter signing to song).

That's it. Now let's try that.
U-S-A. The signs for God bless. God bless. Let's try that again. God bless. To the guys over there that didn't get a chance to come up here, let's try it also. God bless the USA. By the way, take one hand with your palm facing the ceiling, the other hand on top, stack them across like

this. That's hamburger. Yes. It's not part of the song. I just thought I'd show it. Yes. Hamburger. Yes. Make the little "c" like this, put it across the head, shake it back and forth, this is crazy. Yes. Nothing to do with the song but again I just thought I'd show it but let's go back to the song. The sign for American. Both hands like this, around and go like that.

The Chair:

Bravo.

Mr. Parker:

One more I love Pittsburgh. Here we go, I love Pittsburgh, "uh". Thank you Councilperson Valerie McDonald for this, thank you very much.

Ms. McDonald:

(Signing).

Mr. Parker:

Go girl. Do it again. Watch what she did. She thanks us for being here. Where did you learn that?

Ms. McDonald:

Mary Anne.

Mr. Parker:

Excellent. Give her a round of applause.

The Chair:

Let's get our signers in here as well as Dave.

Mr. Dave:

Now we get pictures. Cool.

The Chair:

Thank you all, especially to our B.I.G. League players. We appreciate you coming down here today. A special thank you to Mr. Dave Parker for representing our great city. We can't think of a greater humanitarian, a greater person, to represent our city in Atlanta. We thank David very very much.

Mr. Ricciardi:

Also, Mr. President.

The Chair:

Mr. Ricciardi.

Mr. Ricciardi:

Special thanks to our Parks and Recreation staff members, Lou Polito, Sam Mastromatteo and Vicki Hoffman who've done a very fine job with these young people.

The Chair:

Yes. Thank you.

At this time, I'd like to call on Councilman Hertzberg who I believe has a resolution.

Mr. Hertzberg:

To be read into the record.

MR. HERTZBERG PRESENTS

No. 911 WHEREAS, Jenny Cain is a beautiful senior citizen who has been a resident for more than 50 years in the community of Esplen located in the 20th Ward of the City of Pittsburgh; and

WHEREAS, Jenny is the widow of Francis Cain, with whom she enjoyed 50 years of marriage, and the Mother of Eugene, Louise, Bernadette and Francis; and

WHEREAS, Jenny has been the guiding light for the Esplen Food Bank for 16 years, has volunteered with the St. Vincent DePaul Church and Parish for 30 years, and has been the focal point of Esplen Senior Citizens and the Senior Association; and

WHEREAS, everyone looks to Jenny for help in so many facets of their lives and actually associates her with everything pertaining to the Food Bank and its activities; and

WHEREAS, Jenny's family celebrated her 90th birthday by holding an Open House for her friends and neighbors she so graciously helped in Esplen, and where she will continue to work when the new Community Center opens in the fall.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, on behalf of her friends and neighbors, would like to take this opportunity to thank Jenny for her caring,

dedication, and love, and to express our pride in having her as a member of our community.

SPONSORED BY COUNCILMAN ALAN HERTZBERG

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

I believe Councilman O'Connor has a resolution.

Mr. O'Connor:

Actually, I have two today and actually I'm very good at this (signing) Jim I use to make a lot of hamburgers.

The Chair:

That's right.

Mr. O'Connor:

This is a real tough act to follow. I think we should start every morning off with Mr. Parker. Would Kim Siegfried come up, please, from the Steel Workers. Before I did this, I made a lot of steel. I worked 6 years in J&L so this is very appropriate. I'm glad to have you here and it's the Steel Worker's week in the City of Pittsburgh. We have a big convention. I'll read the proclamation and I think it explains a lot of things going on

next week in Pittsburgh and we're glad to have you here.

MR. O'CONNOR PRESENTS

No. 912 WHEREAS, the Steel Workers Organizing Committee (SWOC) was founded on June 17, 1936, in Pittsburgh, Pennsylvania, by Philip Murray and other organizers who had been assigned that task by John L. Lewis of the United Mine Workers; and.

WHEREAS, the Steel Workers Organizing Committee became the United Steelworkers of America, AFL-CIO-CLC (USWA), one of the largest unions in the world, at the first USWA International Convention held in May 1942 in Cleveland, Ohio; and,

WHEREAS, since its inception as SWOC, the USWA has had its international headquarters in Pittsburgh, Pennsylvania; and,

WHEREAS, the 50th anniversary of the founding of SWOC was commemorated by a State of Pennsylvania Historical Marker at the corner of Grant Street and Third Avenue in Pittsburgh in June of 1996; and.

WHEREAS, in this 60th anniversary of its founding in our city, the USWA has returned to Pittsburgh for its 28th Constitutional Convention, to be held August 5th - 8th, 1996; and,

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate and commend the USWA for its efforts on behalf of working people from the time of

its founding sixty years ago in our city; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh warmly welcomes to our city the delegates attending the USWA's 28th Constitutional Convention, and it hereby declares August 4-10, 1996 to be "Steelworkers Week" in the City of Pittsburgh.

SPONSORED BY COUNCILMAN BOB O'CONNOR

MR. O'CONNOR moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. O'Connor:

We're very honored to have you here. Next week is an exciting week for Pittsburgh and I just wish we had a lot more of those factories and mills so that these young people would definitely have an opportunity to make a good living but I think working together, the Steel Workers have done an outstanding job. I know of none of us probably would have Blue Shield and Blue Cross without the strong unions that we had in the 50s and we all benefit from them and I think they're making a come back now and I hope we can all work together to bring more opportunities for our young people.

Speaker:

Thank you. On behalf of President Becker and our Secretary/Treasurer Leo

Gerard who are trying to pull together logistics for this convention as we speak.

One problem with Pittsburgh, because our convention is so large is the logistics. We're going to be busing delegates from the hotels across the region.

We thought it was important to come back here for the 60th Anniversary of our founding. You know, we're quite delighted to be here so you'll see about 3,000 steel workers wondering Downtown next week. Thanks very much.

The Chair:

Thank you. Thank you and congratulations. I hope that plague will recognize the many Pittsburghers who gave their blood, sweat and tears and the Steel Workers Organizing Committee, rank and file working people from neighborhoods throughout this city.

Councilman O'Connor.

Mr. O'Connor:

I have one more. Would the crew of the Gateway Clipper Fleet come up, please?

Actually, I had an exciting boat ride and you did an outstanding job last night on the river. We had about 1,200 people on the Majestic and what a view of our city and if anybody hasn't been there lately you should go down and see it.

The Chair:

Gentlemen, you could pull in a little here to the stern or to the aft or whatever it's called.

Mr. O'Connor:

Actually, the reason we're here today is to honor Capt. Andy Schmidt and if you hadn't seen it on the news I was there. Actually, I know a lot of us I think -- I know Mr. Hertzberg, we were all going to a meeting in Station Square and we couldn't go across the bridge so I watched what happened and I'll read the proclamation so it'll explain in detail but I want to commend you and not only the Gateway Clipper, I know our EMS, our police and fire did an excellent job in this rescue but this was an outstanding event and I'm honored to have you here.

MR. O'CONNOR PRESENTS

No. 913 WHEREAS, Captain Andy Schmidt's career began in 1978 at the Gateway Clipper Fleet as an ambitious Dining Attendant. Six months later, he became a deckhand and made the first step on his long and distinguished career. Captain Schmidt moved from deckhand to mate on each of the Gateway Clipper Fleet's riverboats and was licensed as a Captain in 1992, and;

WHEREAS, Captain Schmidt and the crew of the Gateway Clipper vessel River Belle went above and beyond the call of duty on June 20, 1996. On that morning, two workers installing telephone cable on the underside of the Smithfield Street Bridge had their crane truck collapse leaving them dangling dangerously above the Monongahela River. The River Belle provided response

teams from Pittsburgh River Rescue and a secure platform enabling a successful rescue, and;

WHEREAS, the actions of Captain Andy Schmidt and his crew reflect the highest standards in seamanship and professionalism. The River Belle's quick response to River Rescue's call for help and the expert ship handling of Captain Schmidt and crew were vital to rescue efforts.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate Captain Andy Schmidt and the crew of the River Belle for their heroic and meritorious efforts that ultimately saved lives, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare June 20, 1996, "Captain Andy Schmidt Day" in the City of Pittsburgh.

SPONSORED BY COUNCILMAN BOB O'CONNOR

MR. O'CONNOR moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I know that was national news all over and I saw the rescue. It was amazing what you did, how quick you responded and our other rescuers. Also, we have with us Terry Wirginis, he's the President

of the Gateway Clipper Fleet. Chief Mate, Tony Organ and Kevin Podany. Come on up and thank you from all of us in Pittsburgh. I know you're here available for us.

Capt. Schmidt:

I'd like to thank the City Council and Bob O'Connor. He also sent me a letter a couple weeks ago, that's very nice.

People keep asking me if I feel like I'm a hero. I really don't. I was just a person at the right place at the right time. I think anybody would have done what I did.

I like to thank the City of Pittsburgh's River Rescue. It was nice to repay them for all the times they've come over to our boats and helped us out so I'd like to take this time to thank them, thank the City Council and Tony and Kevin, my crew. They did a lot to help out in the situation. Thank you.

The Chair:

Thank you, Captain.

Mr. Wirginis:

I'd also like to thank Councilman O'Connor and the rest of the Council for this proclamation. It means very much to us. We take training and safety as the most -- safety is the most number one essential item we do at Gateway Clipper Fleet and our people train -- all of our people train on a daily basis for emergencies. This was a little bit unusual snagging people out of the air rather than out of the water but we were ready for it. I

take Andy -- Capt. Schmidt and the rest of the crew here, I believe them wholeheartedly when they say they were just doing their job that day. It was almost a routine situation for them because they're ready for this type of thing.

I also want to echo Capt. Schmidt's thoughts on River Rescue. McCaughan and River Rescue, I think, made the right call by making what could have been a very complex rescue very much easier by looking at the platform and recognizing that we could make the rescue much safer and much easier and it just goes to show you the kind of work that the River Rescue does and that we've done together over time that they would think to call us in that situation and I think it's a situation that worked out to a very happy ending and it could have been much more serious and again I congratulate our crew and I thank City Council very much. Thank you.

The Chair:

Thank you.

Mr. O'Connor:

Again, I think all of us in Pittsburgh are really happy to have those boats available. I know everyone who comes and visits always enjoys them and all of us enjoy them, especially last night we had a great time. But, really I want to commend all of you for doing a great job. Thanks. We're honored to have you here.

The Chair:

Thank you, Captain. Thank you all. Appreciate it.

I believe that concludes our Read and Adopted resolutions unless anyone has anything else to offer. If not, moving to Presentation of Papers. Councilman Hertzberg for Councilman Cohen, Committee on Public Safety Services.

Mr. Hertzberg:

No new papers.

The Chair:

Thank you. Councilman Hertzberg for Mr. Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you, Mr. Hertzberg.

And following this, we need a motion to waive Rule 8 on all the bills except the two being offered by Councilwoman McDonald.

Mr. Udin:

So moved.

Mr. Hertzberg:

Second.

Which motion prevailed.

MR. HERTZBERG FOR MR. CUSICK PRESENTED

No. 915 Resolution transferring the amount of \$125,000.00 from Code

Account Special Summer Food Service Program, Parks and Recreation, to the Senior Citizens Program Trust Fund, in the Department of Parks and Recreation. (This transfer is necessary to pay building rent for the Senior Program until the Department receives its yearly funding under contract from the Allegheny County Institution District/Department of Aging. This is expected by October 1, 1996). (PRESENTED BY MR. CUSICK).

Which was read and referred to the Committee On Finance and Budget.

MR. CUSICK moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Motion to waive Rule 8 on all the bills except for the two that Councilwoman McDonald --

All in favor?

WHICH MOTION PREVAILED.

The Chair:

Councilwoman McDonald. Excuse me, wake up Ferlo.

Councilwoman McDonald,
Committee on --

Ms. Donald:

-- whatever. Mr. President. The Chair:

You could tell I was daydreaming just now, huh?

MS. MCDONALD PRESENTED

No. 918 Resolution providing for an Agreement(s) with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh at a cost not to exceed \$1,128,429.00, chargeable to and payable from the 1996 CDBG Program. (Funds are available from the 1996 Community Development Block Grant Program, "City Council").

Also,

No. 919 Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 1996 CDBG Program; providing for the execution of grant contracts for the filing of other data required providing for assurance: providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories.

Also,

No. 920 Resolution providing for the execution of a Cooperation Agreement with Urban Agreements the Redevelopment Authority of Pittsburgh for the Performance of certain work in 1996-1997 connection with the Community Development Block Grant Program, and providing for the payment of the cost thereof. Cost not to exceed \$11,268,000.00). (PRESENTED BY

MS. MCDONALD AND MR. HERTZBERG).

Which were read and referred to the Committee on Housing, Economic Development & Promotion.

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. COHEN seconded the motion

Which motion prevailed.

The Chair:

We waive Rule 8 on all the bills. The only two that we're not going to waive Rule 8 on are the two that you're offering in relation to police accreditation which will now be read.

Also,

No. 916 An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article III, Organization, Chapter 116, Department of Public Safety, Section 116.02, Powers and Duties of Director; Title Change, by adding subsection (e) to add the responsibility for oversight of the Police Force Accreditation Process. (SPONSORED BY MS. MCDONALD).

Also,

No. 917 Resolution directing the Administration to initiate accreditation procedures with the Commission on Accreditation for Law Enforcement

Agencies for the City of Pittsburgh Police force. (SPONSORED BY MS. MCDONALD).

Which were read and referred to the Committee on Public Safety Services.

The Chair:

Thank you. And, that was the Housing, Economic Development and Promotion Committee, now that I'm no longer daydreaming.

Councilman O'Connor,
Committee on Engineering and
Construction.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Councilman O'Connor. And, congratulations on a tremendous party that you had last night on the boat.

MR. O'CONNOR PRESENTED

Resolution further No. 921 amending Resolution 976, effective January 1, 1996, 1996 Capital Budget, as entitled: "Adopting amended. approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by increasing Neighborhood Street Improvements by \$1,000.00.00 from \$350,000.00 to \$1,350,000.00. (This amendment will provide the necessary funding for the Rehabilitation of Pioneer Avenue and from Brookline Boulevard to Southcrest Drive in the 19th Ward of the City of Pittsburgh). (Council District 4).

Also,

No. 922 Resolution providing for a contract or contracts or use of existing Contracts for the Rehabilitation of Pioneer Avenue from Brookline Boulevard to Southcrest Drive in the 19th Ward of the City of Pittsburgh, Council District Number 4, including replacement of sidewalks, curbs, driveway entrances, regulatory signing, miscellaneous work by private utilities and all necessary work on private property; and provide for the payment of the cost thereof a cost not to exceed \$1,000,000.00, chargeable to and payable Code from Account 3-13-01-0148-96. (This is the first phase of a two (2) phase project. The second phase, to be bid next year, will consist of the replacement of the roadway proper along these same limits).

Also,

No. 923 Resolution providing for a Right-of-Entry agreement with property owners within the limits of Phase II of the Fifth Avenue Reconstruction project for the purpose of constructing a concrete block bulkhead (wall); providing for a Reimbursement Agreement. appropriate, with property owners within the limits of Phase II of Fifth Avenue Reconstruction project for the purpose of repairing/reconstructing privately-owned structural sidewalk vault roofs; and providing for the deposit reimbursement of such costs. resolution is needed in order for the City to execute an agreement with individual property owners that will permit the City's Contractor to do work on private property).

Also.

No. 924 Resolution providing for a Right-of-Entry agreement with property owners within the limits of Phase I of the Wood Street Reconstruction project for the purpose of constructing a concrete block bulkhead (wall); providing for a Reimbursement Agreement, when

appropriate, with property owners within the limits of Phase I of the Wood Street Reconstruction project for the purpose of repairing/reconstructing privately-owned structural sidewalk vault roofs; and providing for the deposit of the reimbursement of such costs. (This resolution is needed in order for the City to execute an agreement with individual property owners that will permit the City's Contractor to do work on private property).

Which were read and referred to the Committee on Engineering & Construction.

MR. O'CONNOR moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion

Which motion prevailed.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

No new papers, Mr. President.

The Chair:

Thank you, Councilman.
Councilman Onorato for Mr. Ricciardi,
Committee on Public Works, Water and
Environmental Services.

Mr. Onorato:

Mr. President.

The Chair:

Thank you.

MR. ONORATO FOR MR. RICCIARDI PRESENTED

No. 925 Resolution amending the 1996 Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1996 Community Development Block Grant Program, so as to reprogram funds under the Department of Public Works. (SPONSORED BY MR. RICCIARDI).

Which was read and referred to the Committee on Housing, Economic Development & Promotion.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion

Which motion prevailed.

Also.

No 926 Resolution transferring \$75,000.00 from various Code Accounts within the Bureau of Operations and Administration within the Department of Public Works. (This transfer is necessary to continue operations for the remainder of 1996). (PRESENTED BY MR. RICCIARDI).

Which was read and referred to the Committee on Finance and Budget.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion

Which motion prevailed.

Also,

No. 927 Resolution providing for an agreement or agreements, or the use of existing agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1996 and providing for the payment of the cost thereof which is not to exceed \$350,000.00, chargeable to and payable from Code Account 4-01-35-0077-96-500-96-01, City Source Associates, Department of Public Works.

Also,

No. 928 Resolution providing for a Contract or Contracts, or use of existing Contracts for the purchase of litter receptacles, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1612-2, Equipment. (The receptacles are needed to fulfill the City of Pittsburgh's commitment to place litter receptacles throughout the City).

Which was read and referred to the Committee on Public Works, Water & Environmental Services.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bills only until or after the calendar day following the meeting in which the bill were introduced so the bills will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion

Which motion prevailed.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman Udin.

MR. UDIN PRESENTED

No. 929 Resolution providing for the issuance of a \$2,308.55 warrant in favor of Craig & Carmelita Korbett in settlement of claim for property damage due to sewer back-up.

Which was read and referred to the Committee on Finance and Budget.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion

Which motion prevailed.

THE CHAIR PRESENTED

No. 930 An Ordinance amending Pittsburgh Code, Title One. the Administrative, Article IX. Commissions & Authorities, Chapter 176, Comprehensive Municipal Pension Trust Fund, Section 176.02, Membership, by changing the composition of the Board of Trustees to provide for the membership of the City Controller and Council's Budget (SPONSORED BY MR. Director. FERLO).

Also,

No. 931 Resolution amending Resolution No. 267 of 1996, "entitled, Resolution authorizing the Mayor and City Solicitor to enter into an Agreement's for hiring of counsel and consultants to assist in the representation of the City for outside legal counsel, at a cost not to exceed \$250,00.00", by clarifying the scope of services to be performed by outside legal counsel and consultants. (SPONSORED BY MR. FERLO).

Which were read and referred to the Committee on Finance & Budget.

MR. RICCIARDI moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Also,

No. 932 Resolution re-appointing Revered Louis Vallone, St. Mary of the Mount Church, 403 Grandview Avenue Pittsburgh, PA 15211, as a Member of Human Relations Commission, term to expire July 31, 2000.

Also,

No. 933 Resolution appointing Jeffrey W. Letwin, Esq., 5836 Northumberland Street, Pittsburgh, PA 15217, as a Member of the City Planning Commission, term to expire January 1, 1999.

Also,

No. 934 Resolution appointing Jonathan R. Koerth's a District 8 Member of the Cable Advisory Board for a term to expire December 31, 1997.

Which was read, received and filed.

The Chair:

On the bills I've introduced today, two of them I'm sponsoring. One is on the Pension Board asking the Council to give consideration to enlarging Comprehensive Municipal Pension Board to add the City Controller elected official as well as City Council's Budget Director, Mr. Salac, in order to try to have some continuity notwithstanding the changing personalities of Council Members who may sit on the board from time to time and that's up for consideration tomorrow. If we need more debate, then we'll hold it over until the Fall.

Second thing is asking consideration regarding an amendment to initiative that's currently underway by the Mayor and I believe the City Solicitor who is proposing to engage a consultant to basically I assume relative collective bargaining to develop a methodology regarding the issue of one or more however number of closing of proposed fire stations. I don't want to get involved in collective bargaining.

I'm proposing here that we preclude the ability of the Administration to engage this consultant by a previous resolution which we approve which is generally a yearly boiler plate resolution we give the Solicitor to hire expert legal witnesses. I am proposing that this is --

I'm suggesting to my colleagues that this issue is a fundamental public policy issue that this Council should be involved in. I am not suggesting that the Administration should not have the power to hire a consultant to develop their methodology if that's what they want to do. I'm only suggesting that they do it by separate resolution, come back to this Council so we could have a discussion regarding the scope of services and what's planned relative to the closing of fire stations.

We're a legislative body. This is important public policy issue, it is an important budgetary issue and I would like to suggest that Council be a little more active and involved on this very important issue. So, the resolution that will be up for discussion tomorrow—

The other three items that were Reverend Vallone, as you introduced. know, has been very active on the commission, very active priest from -- I think he may still be with St. Benedict The Moor Church on the Hill and he's been on the commission. If there's no objection, I suggest that we re-appoint him unless there's an objection or rather re-interview him and then in regards to Mr. Jeff Letwin. I believe he would be a new appointee and we may want to bring him to the table and secondly, the third person is the cable recommendation from Councilman Cohen's district which I think we should just put him on directly at the request of the Councilman. So if there's no objection, the motion would be to reappoint Reverend Vallone, ask that Mr. Letwin come in for an interview, I guess, following the session and then the third gentleman would be appointed from Councilman Cohen's district for cable. So

if there's no objection, that would be the motion.

Mr. Onorato:

One question. I didn't hear the -what was the third one of Councilman Cohen?

The Chair:

Reverend Vallone re-appointment to the Commission's Human Relations, Jeff consideration for --

Mr. Cohen:

-- let me explain that if I could?

The Chair:

Excuse me. Jeff, is the Planning Commission. He would come in for an interview and then the third is Mr. Cohen's appointee from his district to the Cable Communications Advisory Committee.

Mr. Onorato:

Oh, okay.

Mr. Cohen:

What happened on that Councilman is that, as you each of us get an appointee to that commission. David Wecht, who was on the commission from my district moved out of the district. That left a vacancy and I am now asking Council for consideration to select Jonathan Koerth to fulfill that position.

Mr. Onorato:

Fine.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Father Vallone is at St. Mary's of the Mount in Council District 2 and I fully support his re-appointment on he Human Relations Commission.

The Chair:

Thank you very much.

All in favor of the motion?

WHICH MOTION PREVAILED.

The Chair:

Again, that would be a re-appointment to Father Vallone and we will interview Jeff following the Fall Session relative to his appointment to the Planning Commission, you have his resume and the gentleman from Councilman Cohen's District will be appointed directly to the Cable Committee.

Mr. Cohen:

Thank you, Mr. President. When would Mr. Letwin be interviewed? Would that be tomorrow or after recess?

The Chair:

It's really up to the body but we'll try to bring him in tomorrow. If he's available, let's do it tomorrow. If not, then it's going to have to wait until the first part of September but I'll ask the Clerk to please communicate to him and if there's no objection Councilman Onorato will bring him in tomorrow for an interview.

I have another resolution regarding the Business Privilege Tax but I'd like to suggest we bring it up under Motions and Resolutions.

That concludes our Presentation of Papers. Any matter under Unfinished Business or Reports of Special Committees? Councilman Onorato.

Mr. Onorato:

I was going to wait until the end but this is probably going better here. I just want to update everybody. I'll be meeting with Director Miskovich regarding the piece of legislation we passed of the Towers and getting the RFP but following the papers last week, Keystone Oaks School District just cut a deal with Sprint where they're receiving \$10,000 annually for one of their school buildings where they're putting an antenna on top of.

In yesterday's paper, there was a discussion about ALCOSAN using one of their towers. I'm just bringing these two up as possibilities that are out there and the types of money that are involved. So, I'm going to meet with the director to make sure that the RFP is on track so that we look at all City-owned properties, not just buildings because I really believe that there's a lot of money out there to be made

and there's a side benefit and that is it'll minimize the number of towers we need so hopefully we can keep this thing moving.

The Chair:

Very good. Thank you. We also have a resolution being offered by Councilman O'Connor, we forgot it earlier, to be read into the record. Basically, I would ask the Clerk to please read it. It's a Read and Adopted.

MR. O'CONNOR PRESENTS

No. 914 WHEREAS, Tillie Skot Brutt was born in Carnegio, Pennsylvania on July 26, 1907 — the oldest of seven children, and;

WHEREAS, at the age of nine, Tillie Skot Brutt was raised by her grandmother and then by foster parents after the death of her mother in 1916. At that time, four of Tillie's siblings were sent to Holy Family Institute, and;

WHEREAS, Tillie Skot Brutt went to work for Bell Telephone Company in May of 1924, at the age of sixteen, as an operator. She retired in August of 1972, and:

WHEREAS, Tillie Skot Brutt began volunteering in 1956, while working full time at Bell Telephone. A few of the organizations Tillie has volunteered for are, Muscular Dystrophy, Arthritis, Multiple Sclerosis, March of Dimes, and Leukemia Society of America, and; WHEREAS, Tillie Skot Brutt has enjoyed the love and support of her husband, Aris Brutt, whom she married in November of 1943.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Tillie Skot Brutt for her dedication to her career and volunteer work, and;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby wish Tillie Skot Brutt a very happy 89th birthday and declares Friday, July 26, 1996, "Tillie Skot Brutt Day" in the City of Pittsburgh.

SPONSORED BY COUNCILMAN BOB O'CONNOR

MR. O'CONNOR moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Read and Adopted and the various reports. Moving to Reports of Committees.

REPORTS OF COMMITTEES

The Chair:

Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman Udin.

MR. UDIN PRESENTED

Bill No. 935

Report of the Committee on Finance and Budget for July 24, 1996, transmitting sundry resolutions to Council.

Which was read received and filed.

Also, with an affirmative recommendation,

Bill No. 854

Resolution providing for the issuance of a \$1,022.69 warrant in favor of Oncord, Inc. c/o Norman Parker in settlement of claim for an accident involving a City vehicle.

Which was read.

Also.

Bill No. 855

Resolution providing for the issuance of a \$1,374.30 warrant in favor of Mijann Gellerman in settlement of claim for an accident involving a City vehicle.

Which was read.

Also.

Bill No. 856

Resolution providing for the transfer from Department of Finance Code Account 1063, Miscellaneous Services, Index Code 106302, to Department of Finance Code Account 1063-1, Education and Travel Expenses, Index Code 106310, Fifteen Thousand Dollars (\$15,000.00).

Which was read

Also,

Bill No. 858

Resolution amending Section 1 of Resolution No. 143, approved March 26, 1996 and effective March 27, 1996, entitled, "Authorizing an agreement or agreements with Natalee Hillman for professional consulting services in connection with the Unisource 2000 project," by increasing the total contract allocation by \$13,125.00, from \$7,000.00 to \$20,125.00.

Which was read.

Also.

Bill No. 859

Resolution amending Resolution No. 235 of 1996 entitled "Providing for an agreement or agreements with various agencies for job development and employment services in connection with the 1996 Neighborhood Employment Program and providing for the payment of the costs thereof" by increasing the amount available for subcontractor agreements by \$100,000.00.

Which was read.

Also,

Bill No. 860

Resolution further amending Resolution No. 504 of 1995 as amended by Resolution No. 239 of 1996 entitled "Providing for an agreement or agreements with various agencies and authorization to make all legitimate expenditures for wages and fringe benefits supervisor/participant, workers' for compensation, unemployment participant compensation, physicals. transportation, copier, supplies, related outreach and recruitment costs. administrative expenditures necessary to implement the 1995/1996 Pittsburgh Partnership/Summer Youth Employment Program: providing for the periodic transfer of funds to reimburse for expenditures and providing for the periodic payment of costs incurred in the 1995/1996 Pittsburgh Partnership/Summer Youth Employment Program thereof by increasing the amount available for the 1995/1996 Pittsburgh Partnership/Summer Employment Program Youth \$360,000.00.

Which was read.

Also,

Bill No. 861

Resolution further amending Resolution No. 507 of 1995 as amended by Resolution No. 246 of 1996 entitled "Providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Job

Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended: providing for required assurances; providing for the execution of payment vouchers and for certification of authorized signatures; providing for a with various contract or contracts agencies/employers for services and programs related to training and employment Job for the Partnership Act projects; and providing for the deposit of funds into a bank account" by increasing the amount available for subcontractor agreements by \$850,000.00.

Which was read.

Also,

Bill No. 862

Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania for a grant or grants in connection with the Joint Jobs Initiative Program Single Point of Contact Project; providing for the execution of grant contracts and for the filing of requisitions and other data; approving the Joint Jobs Initiative Program Single Point of Contact Project Plan: providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a contract or contracts with various agencies/employers services and for training programs related to and employment for the Joint Jobs Initiative Program projects; and providing for the deposit of funds into a bank account.

Which was read.

Also,

Bill No. 863

Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of and/or Commonwealth Labor Pennsylvania for a grant or grants in connection with the Job Training Partnership Act; providing for the execution of grant contracts and for the filing of requisitions and other data; providing for the appointment of the Private Industry Council and authorization for the Private Industry Council and the City of Pittsburgh to enter into agreements authorized by the Job Training Partnership Act, as amended; providing for required assurances; providing for execution of payment vouchers and for certification of authorized signatures; providing for a with various contract or contracts agencies/employers for services and programs related to training and employment for the Job Training Partnership Act Projects; and providing for the deposit of funds into a bank account.

Which was read.

Also,

Bill No. 864

Resolution providing for the issuance of a warrant in favor of American Legal Publishing Corp., 12th Floor, 432 Walnut

Street, Cincinnati, Ohio 45202, in payment for the reformatting and supplementing of the Pittsburgh Code, for the years of 1994 and 1995, at a cost not to exceed \$16,936.00, chargeable to and payable from Code Account 1003 (100305), Miscellaneous Services, City Council.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferio
Mr. O'Connor (Pres't)

AYES 7

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Public Works, Water and Environmental Services, Councilman Udin for Mr. Ricciardi.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Mr. Udin.

I want to remind our colleagues we have a public hearing this afternoon at 2:00

PM in relation to the Business Improvement District proposal.

MR. UDIN FOR MR. RICCIARDI PRESENTED

Bill No. 936

Report of the Committee on Public Works, Water and Environmental Services for July 24, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 848

Resolution granting unto William Lester, 1701 Suburban Avenue, Pittsburgh, Pennsylvania 15216, his successors and assigns. an encroachment to construct, maintain and use at his own cost and expense. an off-street parking area and fence on a portion of the right-of-way of Milo Street in the 19th Ward, 4th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 849

Resolution granting unto Central Auto Body, 4601 Irvine Street, Pittsburgh, Pennsylvania 15207, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a building addition on a portion of the right-of-way on Tullymet Street in the 15th Ward, 5th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 850

Resolution granting unto the Pittsburgh Thermal Limited Partnership, 111 South Commons Avenue, P.O. Box 6929, Pittsburgh, Pennsylvania 15212, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a vault on a portion of the right-of-way on Ridge Avenue in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 851

Resolution granting unto The Theatre, 5520 Walnut Street, Pittsburgh, Pennsylvania 15232, their successors and assigns, an encroachment to construct, maintain and use at their own cost and

expense, a canopy over a portion of the right-of-way on Walnut Street in the 7th Ward, 8th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 852

Resolution granting unto Buon-Giorno Cafe, Louis Martorella, 6 Smithfield Street, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Court Place in the 1st Ward, 6th Council District of the City of Pittsburgh.

Which was read.

Also,

Bill No. 891

Resolution granting unto Duquesne Light Company, 411 Seventh Avenue, P.O. Box 1930, Pittsburgh, Pennsylvania 15230, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a new electrical vault on a portion of the right-of-way on Oliver Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES 7

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President

The Chair:

Thank you, Mr. Onorato.
MR. ONORATO PRESENTED

Bill No. 937

Report of the Committee on Planning, Zoning and land Use for July 24, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 693

An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "R2" Two-Family Residence District to "C4" Commercial District all that certain property bounded by Forbes Avenue and Marion Street, being Resolvented from No. 2-M-188 in the 1st Ward, 6th Council District.—(Sponsored by Mr. Udin)

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
Mr. Onorato (Pres't)

AYES 7

NOES none

(MR. HERTZBERG ABSTAINING)

Also,

Bill No. 823.

Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreement or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed \$200,000.00.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to the law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

AYES 8

NOES none

The bill having received the legally required number of votes passed finally.

The Chair:

Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Okay, who has my bills? Thank you, Valerie.

MR. HERTZBERG PRESENTED

Bill No. 938

Report of the Committee on Lands, Buildings and Procurement for July 24, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 846

Resolution providing for the letting, during the calendar year 1997, of contracts and for the use of existing contracts for the maintenance rental, rehabilitation, renovation, inspection or servicing of personal property, and also for bonding, insurance, printing and other related services, and for the maintenance and repair of buildings, structures or any other properties in the custody of the various Departments of the City of Pittsburgh, and for any miscellaneous services in and for

any or all Departments of the City of Pittsburgh, and providing for the payment of the costs thereof.

Which was read.

Also,

Bill No. 847

Resolution providing for the letting, during the calendar year 1997, of contracts and for the use of existing contracts for the maintenance rental. rehabilitation. renovation, inspection or servicing of personal property, and also for bonding, insurance, printing and other related services, and for the maintenance and repair of buildings, structures or any other properties in the custody of the various Departments of the City of Pittsburgh, and for any miscellaneous services in and for any or all Departments of the City of Pittsburgh, and providing for the payment of the costs thereof.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for the final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo

(Pres't)

AYES 8

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Councilman Cohen for Mr. Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Councilman Cohen.

MR. COHEN FOR MR. CUSICK PRESENTED

Bill No. 939

Report of the Committee on Parks, Recreation and Youth Policy for July 24, 1996, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 844

Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities and/or Management Agreements for the provision of center services to senior citizens in an amount not to exceed \$125,000.00 chargeable to and payable from (SCPTF), (254250), Senior Citizen Program Trust Fund.

Which was read.

Also,

Bill No. 845

Resolution providing for Contract or Contracts, Agreement or Agreements, Lease or Leases or the use of existing Contracts, Agreements or Leases for the payment of supplies, equipment, materials, rentals, salaries and other services required to provide center services for the HACP Recreational and Senior Citizens Program in an amount not to exceed \$1,065,000.00, payable chargeable to and 4-10-40-0020-96-545-96-10, Housing Authority, Recreational and Senior Programs, index code 618405, and for payment thereof.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo

(Pres't)

AYES 8 NOES none

The bills having received the legally required number of votes passed finally.

That concludes our Reports of Committees.

MOTIONS AND RESOLUTIONS

The Chair:

Under Motions and Resolutions, I'd like to ask consideration for the resolution that you have before you. I'd like to read it if I could be so permitted to do so. Quickly, under Motions and Resolutions, I'd like to ask consideration for the following resolution. This is in response to the post-agenda meeting we had this past week.

THE CHAIR PRESENTS

Bill No. 940 WHEREAS, the City of Pittsburgh, which is currently in the midst of the worst fiscal crisis in its history, has laid off large numbers of city employees, has a severely under funded

pension fund, has cut traditional services, closing emergency medical stations and cutting swimming pool hours, and is currently studying closing fire stations;

WHEREAS. the history of collection of the Business Privilege Tax from broker-dealers has been erratic with a few firms paying the tax while many others have not paid the tax since its enactment in 1968 despite the fact since 1992 it has been undisputed in the Commonwealth of Pennsylvania that broker-dealers are not exempt from having municipal pav taxes such Pittsburgh's Business Privilege Tax; and

WHEREAS, the City took no action to collect the Business Privilege Tax from broker-dealers until 1996 despite the fact that the amount due to the City under the Business Privilege Tax from broker-dealers since 1992 is probably millions of dollars; and

WHEREAS, the City has aggressively pursued collecting fines and taxes from average residents utilizing collection agencies to secure funds from parking ticket scofflaws, the Treasurer's sale process to collect real estate taxes from homeowners and water shut-offs to collect delinquent water bills; and

WHEREAS, it is the responsibility of City Council to draft the annual budget and ensure the integrity of the City's revenue streams; and

WHEREAS, the Mayor's Office has discontinued attempts to collect the business Privilege Tax from broker-dealers and in fact actively lobbied for the passage of Senate Bill 1600 which exempts broker-dealers from the Business Privilege Tax; and

WHEREAS, Senate Bill 1600 was signed into law on July 11, 1996 less than one month after it had been introduced into the legislature at the behest of the Mayor's Office with no notice to and no input from City Council.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh, hereby urges the General Assembly of the Commonwealth of Pennsylvania to immediately repeal Senate Bill 1600; and

BE IT FURTHER RESOLVED, by the Council of the City of Pittsburgh that any changes to the Business Privilege Tax should be uniform and universal and should not detrimentally impact the City's revenue streams; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, hereby directs the Clerk of the City of Pittsburgh to transmit copies of this Resolution to the offices of the Governor, the leaders of both houses of the General Assembly, and all Allegheny County state representatives and senators.

SPONSORED BY COUNCILMAN JIM FERLO

The Chair:

I attached a list that we received of 50 or 60 firms. Supposedly, they're obligated to pay it.

I'd like to ask for a motion to approve for purposes of discussion.

Mr. Cohen:

So moved.

Mr. Hertzberg:

Second.
Which motion prevailed.

The Chair:

I think the resolution itself is self-explanatory. Again, I think there is universal acceptance by Mayor Murphy, by previous mayors', by this Council, by previous councils' that the Business Privilege Tax is a onerous tax. Ideally, if we had replacement revenue, for instance, one replacement revenue might be an increase in the occupation tax whereby suburbanites who enjoy a working experience in the city would pay a higher fee. There could be a one for one reduction of the Business Privilege Tax rate from 6 millage, 6 thousand, a thousand to a lesser amount.

There are any number of things we could explore. The proposal here is self-explanatory but it suggests that if there is going to be changes to the Business Privilege Tax that it has to be done on a basic principle of universality and be across the board in uniform. There is strong evidence that suggest based on the Controller and Mr. Armstrong from Dickie McCamey's and Professor Ledewitz from Duquesne University that there's a significant legal question about the enactment of Senate Bill 1600 and whether or not it indeed conflicts with uniformity clause of the State Constitution. That's an

issue that I guess Mr. Flaherty will pursue legally.

This resolution rather would concentrate on the policy issue regarding the issue of the Business Privilege Tax and whether or not City officials, and I would argue that they clearly are, I believe tax officials in this city and the Mayor as Chief Executive Officer is legally, let alone, morally obligated to collect this tax in an uniform way from so-called broker-dealers notwithstanding enactment of Bill 1600 which is to go in effect in January 1 of '97.

This is important public policy issue, it's an issue of fairness. I'm amazed at how we -- whenever we talk about exemptions, we never talk about the elderly property owner who's 65 or older and is still burdened with having to pay property tax to the school system in this city. Why don't we think about exemptions for those individuals in the city and I could go on and on with the list.

Again, I would strongly suggest based on the post-agenda that this is not a fair action by the State Legislature, it is bad policy as far as the financial calamity that we have in the City of Pittsburgh. It does smack very clearly of a special interest, not necessarily just for Federated but the other companies and it is inherently unfair when the City Tax Treasurer in the Revenue Office collects it from some individual broker-dealers but others, including Federated, have not been obligated or asked to pay the bill for the last many years. This is just not an acceptable situation and I would ask consideration for the proposal. Is there discussion on it?

Councilman Cohen. We'll go right down the line. Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. Brokerdealers are certainly important to the City of Pittsburgh and to the economic growth of our city. This is not in any way against them but so are accountant firms, so are all the small business people who have to pay this tax, law firms et cetera and I've been getting a number of calls over the last week in particular from particularly small business people who ask me the question. why do I have to pay this tax but they don't? And, frankly, I can't give them an answer because I don't think that there is an answer at least not one that makes sense, makes good sense under good tax policy.

I do not believe that it's good public policy to exempt a few companies from paying a city tax both in terms of fairness but also especially given the fact that we are suffering under a \$40 million budget deficit right now. It just is not good public policy. Moreover, I do not believe that it is legal under the Pennsylvania Constitution and for that reason I support this proclamation.

The Chair:

Thank you very much. I want to add one quick comment so I could get a reaction. There was a lot of discussion at the post-agenda about the importance of Federated Investors to the City. I don't dispute any of comments made by the Mayor or Mr. Leeper as it relates to that issue. I would also argue, however, that

when and if the Mayor comes forward with a proposal regarding Federated Investors and the possibility of building a major office structure here in the city, I believe it would be near unanimous on this Council that we would assist Federated as we have with any other major employer in the downtown community with the T.I.F. Tax Increment Financing, with the Capital Bond Fund in terms of infrastructure for sidewalks and roads as well as the Venture Capital Fund which we don't have any input on. It's totally a decision by the Mayor and the ERA Board. So, I just want to put that in there about this issue of fairness and the fact that we want to remain friendly with Federated or any other major employer in the city and we have demonstrated that we are friendly by any number of economic incentives and opportunities we've given them.

Councilman Cohen.

Mr. Cohen:

Let me just add to that real quick and I agree with you and certainly would be receptive to any kind of economic development package but the only way that people have retained some confidence in their government is if there is fairness, if they really believe, especially in the tax system that there is a certain fundamental fairness to it and this action is unfair.

The Chair:

Thank you. Councilman Hertzberg, did you want to speak on this issue?

Mr. Hertzberg:

Not at length. I had a couple questions, though, I wasn't sure what you're referring to with closing emergency medical stations and cutting swimming pool hours. I mean, this really isn't the heart of the matter but it is mentioned.

The Chair:

I think the reference here is to try to give a backdrop to the legislature of how important revenue is to the city right now and that whatever revenue we have is few and far in between and that the backdrop is that we have had to cut the rug. We've had to make some very difficult decisions. We closed EMS Station 13. I believe this was prior to your arrival on Council. This was a battle that Councilman Cohen fought with EMS.

Swimming pool hours actually have been reduced since -- not during your tenure but as we proceeded over the last previous years and I think there is a continual discussion by the Administration about possibly consolidating or possibly even closing some of the swimming pools but I think the idea is to convey to the legislature --

Mr. Hertzberg:

I just want to make sure there wasn't something going on I wasn't aware of.

The Chair:

No. Well, there may be. I don't know, but not --

Other discussion or comments? Councilwoman McDonald.

Ms. McDonald:

Just briefly. We received some correspondence from Mr. Steve Leeper. It was received this week and the question I would have for the Administration is we have a listing of all the companies that would be impacted by Senate Bill 1600. It's an entire list and what I would like to know because of the acknowledge at Council table that there has been uneven enforcement of this Business Privilege Tax amongst those type of companies. I'd like to know of these -- because some are big and some are small, who paid and who hasn't paid in the last few years. Don't just give me a list. Tell me who has actually paid this. Who has been used to paying this and who has gotten off the hook for all these years and I think it will paint a clear picture for us and I do support, President Ferlo, your resolution simply because I feel it's not a matter of do we want to lose business. I think we just need to slow down. I think things are happening in a very hasty manner, it's caught everyone off guard, it's caused a lot of feelings of disparity. Why me? Why not them? So, I do support it. I think it needs to be repealed, people need to come back to the table and slow it down and maybe move forward so that we can better discuss this in essence of fairness.

The Chair:

Other discussion? Councilman O'Connor.

Mr. O'Connor:

First of all I want to thank you for bringing this matter forward in the post-

agenda. I think it was -- everyone know this legislation was passed certainly behind Council's back without any acknowledge of it.

I was under the impression the Mayor and Harrisburg were working to bring benefits to the people of Pittsburgh, some tax relief and some taxes -- other sources of income to help us with the -- not only it's there, it's growing, 30, \$40 million a year. I was not under the impression that we were going to Harrisburg asking for corporate welfare and that's just what this is.

Certainly, this company and other companies like it have their excuses and their reasons and they're good reasons. This is the worst tax that you could have in any city. Whoever put it in years ago made a drastic mistake but we're stuck with it and we're stuck with the money. What we don't realize is that income is going to come, like you say I think you explained it very well, the cuts whether they be swimming pools, fire, police -they cut a hundred police officers last year. I don't think they realize these cuts are coming off the backs of our employees and the services of all the residents of this city and it's totally unfair. It is a bad tax. I will state it again for the record and I will pursue it. If you're going to have this tax then everyone who collects a dollar or a million dollars in this city should start paying it and that's a lot of these so-called non-profit whether they be hospitals or schools who get all the benefits. schools get the EMS, the fire -- I worked in Oakland. Do you know how many times a fire truck goes down Forbes Street to help the University of Pittsburgh or CMU? It's a lot. If you have a heart attack whether you're anywhere in this city in a non-profit organization, you're at a hospital whether it be a fire or EMS, within 3 to 6 minutes you'll be at a hospital. The hospital will hopefully save your life. The hospital make a lot of money, that's the business they're in. They're not paying anything. If everyone pitched in, we could probably cut this in half. That should be our goal. Everyone pays, cut it in half and in the future 3, 4, 5 years from now get it out of here so that we are a business friendly community and this RAD tax I heard that the Mayor said somewhere it was going to come from the RAD. I thought when we supported the RAD that this money was going come in and help the property owners, the senior citizens who live on fixed incomes, in homes, or the young couple who are moving into this city with 2, 3 and 4 kids who are struggling and that's what the RAD tax was meant to -- not to support the corporate welfare that this indicating.

Again, I think Federated has some legitimate reasons, distributorships have reasons, there's a lot of reasons why we should eliminate these tax. But, also, for companies, there are small companies who break even or actual lose money who have to have to pay this tax so let's look at a change. I think across the board everyone should pay it and I'll bet you if everyone paid it you could cut it in half and I certainly support it. This is a start and I would urge the legislators in Harrisburg --I thought they were coming with ideas how to help our financial situation. A year and a half, at least a year from now, when we go bankrupt then what's going to happen. They're going to come in here and change everything? Don't forget this tax is coming off the sweat, I repeat, of the men and women of this city who are working very hard to try to do their job and without this money they're going to eliminate a lot of jobs and I don't think it's fair

The Chair:

Thank you. Councilman Onorato.

Mr. Onorato:

I do want to thank you, Mr. President, for bringing the issue forward. The Business Privilege Tax we all agree is a bad tax and I lead the charge last year for the small exemption which unanimously supported by this body that went to everybody. However, I think the resolution is the wrong way to attack it. It's good that we're discussing it and I will be voting "no" for the following reasons because the resolution is only attacking the repeal of the exemption that was just given to Federated and the other industries that are similar to Federated, so the broker industry. And, the way I look at it I applaud them. It's another group of industry that found a way to get away from this bad tax. I also look at this legislation as the beginning of the end of the Business Privilege Tax the way we know it.

We talk about fairness. Well, life just isn't fair especially being a city resident. What we see is life definitely is not fair within this county. The state has historically provided state legislation to benefit the suburban areas versus the urban areas and I always bring this up, just look at our R.I.D.C. parks. Those parks were established by state law, they are subsidized by our tax dollars because the real estate's all subsidized, the real estate

taxes are subsidized and half of the companies that sit in the R.I.D.C. Park used to be located in the City of Pittsburgh. That was not the intent of R.I.D.C. Park but that was a reality of R.I.D.C. Park and yet they're viewed as a great successful symbol of urban or suburban sprawl of corporate growth. So, if you want to talk about corporate welfare, let's put it all on the table. It's out there and companies are taking advantage of it and it's right across our border. The way I look at it this is another example of making the City of Pittsburgh competitive of keeping another industry in here. Do I think it's fair? Of course, it's not fair. There's a lot of people that are paving this that shouldn't be paying it. There's a lot of companies that are paying on gross. If you look at all of our food companies and the food stores, they have a very small margin. This could make or break their bottom line. So, what I would recommend and what I would hope, instead of passing this resolution that we had a resolution that would deal with the issue of the Business Privilege Tax. I'm glad to see Councilman O'Connor is picking up on some of the issues. The one big issue that I stated last week and I'll state it again, we should go to Harrisburg and repeal all of the industry exemptions only after we see what the effect is to the city and then how much can we lower the Business Privilege Tax for everyone. If I had a magical wand, I would lower the Business Privilege Tax, take everybody off the exemption and make them pay but that's not what this resolution says. This resolution only attacks one particular exemption. We sat here for 50 years in this town and we all watched the manufacturing exemption in place. Steel mills were off limits, manufacturing was

exempt from the Business Privilege Tax because there was a policy decision made in Harrisburg and in this region that we were protecting the bread and butter of this region. Well, that's not the case anymore. Steel is gone. We now have white collar industry, white collar office buildings and you're seeing the changing of the guard take place. People are scrambling to protect the industries that's making this region grow. Unfortunately, it's being done in a piecemeal way so we have to debate the pieces as they come in front of us.

The issue of us being informed. We weren't informed and I think that's unfortunate but this wasn't anything that Council had a vote on. This was state action and who knows why they moved in this direction but they move and they did give the City a toll to make us competitive and I'm not ready to repeal it. If this benefit the certain segment of the business community, I'm all for it because it let's them avoid a terrible tax.

The issue of fairness. We could go over all the programs we have in this city. This Council approved two years ago a real estate tax freeze for senior citizens on certain income living in their homes for a certain amount of years because we recognized seniors were bearing too much of the burden of the property tax for our services and don't even get me started on what the School Board provides or what they don't provide but we give them a freeze. Now, we could argue is that fair? What about the young couple? We made a policy decision that the seniors have paid their way for a long time, certain parts of the senior deserves a break. We have CD dollars that come in here, federal dollars

that could only go to certain neighborhoods. I think almost all of our neighborhoods or all of our districts maybe one Council District doesn't apply but almost all of them have some areas where we give certain treatment and certain tax treatment for developers because a public policy decision was made. Is it fair? No, it's not fair or maybe you say it is fair. We can argue that decision. My point is let's be very careful before we sent a signal to an industry. We might think it's not fair and we all agree that the Business Privilege Tax is not fair, that the exemptions aren't evenly spread around but that's what this signal is going to send today. The signal today is going to be we're against trying to promote another industry in this town. And, please let me remind you the suburban areas are doing everything to promote these industries. They're giving every break you can. I don't see this as coming at the expense of anybody in Pittsburgh. What's coming at the expense of Pittsburghers are what the people around us are allowed to do with state law when they take Clark Candy off the North Side, when they take other companies out to O'Hara Township, out to Thorn Hill Park and I can go on and go on and go on because once they leave, you don't even have the real estate taxes anymore, they're gone. I have an empty building. Please reconsider this, Mr. President, and I'd be more than happy to work with you if you hold this to come up with a resolution that addresses the bigger picture and that is all of the exemptions in the Business Privilege Tax and the real bottom line is, which I have to applaud The Observer for bringing up the real big issue and that is, the taxes on gross not on net and if you want to deal with that issue we have to do an analysis of what is the

loss of revenue when you shift from gross to net and what and what is the pick up you would make if you go from exemptions to no exemptions? This might be a loss and if you expand it, as Councilman O'Connor suggest with some other institutions, there might be a way to fix this tax, fix it for everyone. This resolution doesn't fix it. All it does is send a bad signal to one segment of society that we're trying to save.

The Chair:

I think you raise a smoke screen actually as to what the intent of the resolution is. I would draw your attention to the second to the last paragraph where I explicitly state that we are proposing that any changes to the Business Privilege Tax should be uniform and universal and not detrimentally impact the city revenues. Obviously, I'm talking about some type of revenue neutral situation. A change in the occupation tax that. There may be other taxes that would be instituted or changed.

I agree. I think one of the reforms should be that the tax should be on the net. I think it should be an elimination of all exclusions or exemptions and also I think the State Legislature and the Mayor and the Lobbyist should be guided with the financial reality that we need replacement revenue. I mean, that's guided our RAD -our RAD strategy was built upon the philosophy that we were going to lose 5 percent of the amusement tax, we were going to lose the personal property income and have to replace the School Board's \$4 million but that there would be replacement. I mean, if we're going to deal with this from the reality then we have to talk seriously about

tremendous financial impact that we would be affected if there were a loss or change in the Business Privilege Tax so I'm asking that the resolution has embodied in it basic guiding principles of what that reform legislation should be but I think the resolution is clearly an attempt to point out the grossly inadequate and unfair situation as it relates to Senate Bill - the House Bill 1600.

Mr. Onorato:

I appreciate the second to last paragraph but what I'm saying is not a smoke screen because what else you ask in this resolution is you're only repealing one of the many exemptions that exist under state law. My point was if we could get together a good resolution for requesting Harrisburg to address the issue properly instead of picking just one exemption that was recently passed. There's other exemptions that are older and we don't mention them here, we don't mention the gross versus the net here. I know you just have a generic clause saying that we hope in the future that everything's uniform, universal but we know it isn't right now and we're only taking one piece of the unfairness and attacking it in your resolution as opposed to the other exemptions too.

The Chair:

This resolution is not all encompassing, it doesn't include other resolutions from being considered in the future.

Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. With all due respect to Councilman Onorato, there is only one exemption that has occurred here in the last decade and that is this one and there is also only one exemption that the State has allowed the Business Privilege Tax and the City fought it. The difference here is that the City is supporting this exemption. For the banking industry, the City fought it. It went all the way up to the State Supreme Court and the State Supreme Court held that the banking industry is so pervasively regulated that it deserves an exemption. It did not hold that with broker-dealers. This is the only exemption that the City has actively supported in the last ten years and the signal that I believe is being sent here, the signal is that if you threaten City Hall. you get to be freed from your tax. So, I think maybe what we should do here is create a hearing board right here in City Council and have every company that wants to come in and try to get out of this tax and if they threaten City Hall or if they make the right argument, sure you get freed from this tax but you don't. That's wrong. It is absolutely wrong to do it that way and it's not fair.

As it was pointed out at the postagenda, this is not a \$300,000 item. This is a \$3.5 million item and I just hope that everybody remembers this conversation when we go into budget negotiations and try to find \$40 million, not 20, not 30 but \$40 million during our budget negotiations. This would have gotten us virtually 10 percent of the way there.

The Chair:

Response. Councilman Onorato.

Mr. Onorato:

On that point, I do stand corrected maybe I'm using the wrong word, "exemption" because there really are only two but let's be honest for the people listening here. The way the legislation is written for Business Privilege Tax, there's a lot of companies and industries that don't have to pay it because of the definition of who pays business privilege. They might not be exempted. What I was referring to are the list of companies that pay the mercantile which is only 2 mill, not 6 mill, the companies that don't pay either, because only certain industries pay Maybe it's not called an this tax. exemption but it's by state law and none of us here are passing a resolution saying we want all that repealed. We're attacking one particular -- my problem here is that all of these other incentives that were created by state laws surround us that are still in place and we're only attacking the one privilege that we give to our own municipality. I don't think it's fair either. I made that clear. I think it stinks, this tax. And, I hope everybody does remember during budget time when we have a \$40 million deficit. I agree with Councilman Cohen but I also hope we remember and God forbid that an entire industry sprouts in one of these development parks, R.I.D.C. Park, where my state dollars are funding the tax burden because it all stinks. We should make the playing field even. This starting to make it a little even. Unfortunately, if you look at the region and anyone screaming at City Hall -- let me remind everybody, we did not vote on this exemption, this was a state exemption. No one lobbied me for this. This fell into our laps as an issue that hit the paper that we found out that the Administration was supporting in Harrisburg. We didn't vote on it. I wasn't lobbied to vote for or against this. But, I have the reality in front of me now that we're going to ask the state to repeal it. I'm not ready to do that because I want to give any industry I can incentive to avoid that tax. This is the beginning of the end of the Business Privilege Tax.

The Chair:

Councilman Ricciardi and then we'll go back to Mr. O'Connor.

Mr. Ricciardi:

Thank you. Colleagues, I'll be short. Mr. President, I do take issue of some of the wording in the resolution however I wholeheartedly support the Now, Therefore clause and that is hereby urging the General Assembly of the Commonwealth of Pennsylvania to immediately repeal Senate Bill 1600.

I believe all taxes should be fair, equitable and uniform and I think in this case, it's just not going to be uniform because we're exempting a certain segment of the business community. As I stated during the post-agenda, colleagues, you take the food industry how important it is here in the City of Pittsburgh and the good argument that the food industry can make advocates for -- concerning the food segment itself. I know Mr. Bob O'Connor and Mr. Ferlo sat on a committee several years ago and brought forth some of their problems. Obviously, I believe this tax should be on the net and not the gross but we have several challenges here and I'm going to end with this. I think we have two challenges, Mr. President. First of all, now coming budget time I think we're committed. I think we've committed ourselves publicly and privately and we need to change the tax on the net and gross and revenues need to found or cuts need to be made. That's a challenge. We just can't put up rhetoric and say, well we're going to pass this resolution because it's going to "position ourselves correctly or make ourselves look good, let's take on the challenge of changing from gross to net." Also, I think we have to take on the challenge of getting it repealed and not just through this resolution even though this is a great start. We have a lobbyist. We have a lobbyist that comes forward and the agreement goes through this body and I think it's a \$35,000 a year contract. We also have another lobbyist in the Mayor's office that we approved through the budget process. We have nine members of City Council and if it receives 5 votes, 6 votes or 7 votes, we represent a particular district where representatives or state senators reside and represent. What I'm saying to my colleagues is I'm going to support this resolution but not just on paper. challenge ahead of us is to use our -hopefully our positions and our political capital and let's see -- Mayor Murphy's office was very very successful. Let's see how successful we be in Harrisburg. Let's call in our state lobbyist, both in the Mayor's office and the one that we employ. Let's get together a game plan and let's see how successful we are and Mr. Ferlo, I hope you take that challenge I'm laying before you is that, we can't stop at this resolution. If I vote for this resolution. I just didn't vote for a piece of paper. I voted for a crusade and if we're going to take on that crusade, let's take it

on to the end but also we need to challenge ourselves now and I'm committed to changing this tax from gross to net.

All my colleagues, including myself, and I know Mr. Bob O'Connor's been a big push for this during all the tax hearings and the record will show that. Thank you.

The Chair:

Thank you, Councilman. Councilman Udin.

Mr. Udin:

Thank you, Mr. President. I'm not convinced that the Federated and the securities and other financial institutions that are exempted by this law represent a violation of the uniformity clause. There are other businesses that do not pay the Business Privilege Tax and there is an obvious imbalance in the application of the taxes to certain businesses, depending on the business itself and the history of the development of that business. I think it can be argued, Mr. President, that the finance industry may be vital to the economic recovery of the region to replace the losses resulting from the collapse of steel industry and should be encouraged to develop in the same way that manufacturing was encouraged to develop. I think that the resolution itself does not provide alternative repeal legislation. It seem to me that if we want to repeal the legislation that is in place then we offer some legislation, not just send a week request to the legislature to repeal. It requires some legislative action.

I will be abstaining on the vote today. Primarily, because of the methodology used by the Administration in having this legislation passed. The kind of behind the scenes clandestine, backdoor, midnight legislation that was submitted without adequate conversation, discussion with Council which seems to be a hallmark of the way this Administration prefers to do business.

If there are major policy issues that the Administration is interested in, it cannot just avoid Council by having some legislator in Harrisburg to submit legislation that does not provide Council with the opportunity to debate it and to provide some policy on it and it's for that reason I will not be voting no but I will be abstaining to at least provide some protest to the way in which this was done.

The Chair:

Just a response because I would like to get your reaction. I have no objection to friendly amendments. If we want to strengthen the second to the last paragraph in addition to the language I presented specifically stating and guiding the legislature that we tax the net and not the gross, that we eliminate all exemption exclusions et cetera and that there be revenue replacement. I mean, I think if we add those additional principles, it should address the criticism that Councilman Udin and to some extent Councilman Onorato have raised. I would suggest we strengthen that part of the resolution to give guidance to the legislature as to what policy we're asking to pursue. And that is, if there is a collective agreement and I agree with -- I've spoken on the past that need to tax the net and not the gross. The issue of eliminating all the exclusions or exemptions so that there's uniformity and gives clear direction to the tax office as to how to collect it. And, secondly that there be some guidance on revenue replacement. We can't just rip out \$30 million from the City budget and not have replacement. Fine, then give us a \$50 occupation tax, give us some other sources. I would suggest as a friendly amendment we add those provisos if that would address the criticisms that's been raised today to some extent.

Mr. Ricciardi:

I'll put forward the amendment since you're chairing the meeting.

The Chair:

Okay. Well, then, consider this a friendly amendment that the second to the last paragraph in addition to the existing language which specifically give guidance to the legislature that we are for taxing the net as opposed to the gross revenues on business privilege, that there be an elimination of all exclusions exemptions so that's universality and comprehensiveness in uniformity. And, thirdly that there must be some practical revenue replacement in terms of business privilege. So, if there is no objection, we'll consider that as part of the friendly amendment to the wording.

Mr. Cohen:

Second.

Which motion prevailed.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

I had just a comment on the amendments. I mean, I've been sitting here listening to this whole thing trying to kind of decide where I stand on it. I'm pretty much included that I support this. I don't know whether we want to get into the whole issue though of what else there should be. Whether it should be net, what we should do about the situation. There should be a study done, I think, to try to determine what's the fairest way, what's the best way to do this for the City of Pittsburgh but as I said after listening to everything that's been said, I have to conclude that the particular legislation that you're focusing on in Harrisburg is not the right way to go about doing this. I mean, because you look at the whole history this industry has from day one said we're not paying the majority of it, we're not paying, we're not covered. You're going to have to take us to court to show that we have to pay this tax, that everyone else including myself pays the Business Privilege Tax. The court ruled you're wrong, you do have to pay this tax. And, what are we going to do go back and tell them, well "hey" you never wanted to pay it, you fought us, we won but "hey" you don't have to pay it now.

It doesn't seem the right way to do this. I think Councilman Onorato with what we did last year with the exclusionary amount across the board I think that's the right thing we should be doing. I think when we're talking about gross and why it's set on the gross, I mean, without getting into all that detail and whether this is the best thing to do. I think

the reason why the Business Privilege Tax right now is set on gross is because we're looking at the size of the operation. That should have some relationship to the size of the operation, the gross income, and that's what we want to tax, the size of the operation but that may not for a lot of reasons sometimes it doesn't have a great relation especially with a financial institution that might be taken in a large sum of money and really be just a little room but I think if we could find some kind of easily verifiable kinds of deductions that are out there, something like payroll. You can certainly always say, deduct payroll, we know what it was, you had to pay your employees, you had to file all kinds of papers. You're allowed to deduct that but I think if we're going to get into net, you're going to be opening the door for a lot of little things and before we get into all that -- I mean. I'll vote in favor with or without the amendments but I just want to make the point that I don't think we can just throw other suggestions out without a very careful analysis but I agree with you, Mr. President, that this state legislation is the wrong way to go about it.

The Chair:

For the sake of not confusing the debate to the point where nobody wants to vote on anything, I would suggest we just vote it up or down in the present wording. I think the second paragraph, I tried to word it tactfully to suggest universality, uniformity but still allow the fact if there is going to be a reduction or changes, that the legislature has to give us some replacement revenue options so if we could generally have those principles guided. It doesn't preclude a future resolution and it doesn't preclude maybe

Council meeting with the Administration to develop a legislative strategy as it relates to some of these other issues.

Councilman O'Connor.

Mr. O'Connor:

Just briefly. You know, we all would agree I think this is the most detrimental tax to the people of Pittsburgh. When you're looking at business, it's not really -- you could look at it two ways by helping the business person because of this tax, that business person creates the jobs that make it a quality place to live. If we don't have business, we don't have jobs so I think it's a tax on everyone really when you hurt business. I know as a small business man I've been told numerous times about companies leaving the city, especially small business. This mayor's attacked it, I think, and so has the previous mayor but it's interesting we've talked about it at least since I've been in Council nobody's done anything about it. Nothing at all from Harrisburg. All we've heard is talk. In fact, very little talk.

I want to refresh our memories a little bit. I remember Councilman Ricciardi bringing a bill in here and I know it was in Councilman Hertzberg's district about the auto emissions. Remember when this little Council stopped because it had to go through a -- what was that a -- you need a very minor variance --

The Chair:

-- Conditional Use.

Mr. O'Connor:

Conditional Use. But all of a sudden this Council stopped and I think other council's around the state were All of a sudden this auto stopping. emissions circus was ended. It went right up to Harrisburg real fast and within a couple of months, it was stopped. I see this maybe as a wake-up call what you're saying here today whether we agree with all of it -- I think we've all said we want this tax to be revised, maybe eliminated, scaled down, whatever form. I think we need to send the message and it probably starts with Council here because maybe for vears both mayors' Administrations' haven't done anything and I'll tell you I've been in both mayors' offices talking to them with ideas and I've been turned down. It's just -- maybe it seemed too hard, too much work so I think it's time -- I think we all should support this, we can revise it make it better but sending a message to Administration that business and the employees of this city need relief. So, I would support this the way it is. We can always make amendments in the future. This isn't about Federated, this isn't about one company. It's about the overall \$40 million problem we have in Pittsburgh and different ways to address it so I commend -- I just thought about Mr. Ricciardi and I know all Council jumped on it and things start really small. Maybe in this little chamber, we can start waking up the halls in Harrisburg.

The Chair:

Thank you. I think that's a good note to end on. Thank you very much.

Roll call vote on the resolution as originally read.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)

AYES 7

NOES 1

(MR. ONORATO VOTING NO)

(MR. UDIN ABSTAINING)

The resolution having received the legally required number of votes passed finally.

The Chair:

Are there other matters under Motions and Resolutions that my colleagues would like to raise?

Again, we have a formal public hearing regarding the tax increase in the Business Improvement District at 2:00 PM this afternoon and we will also be meeting again Friday, August 2 at 10:00 AM, will be our final meeting before an August break and Mr. Cohen you had an issue and Mr. Cusick.

Mr. Cohen:

Thank you, Mr. President. Very briefly. I just wanted to take a moment to commend the City of Pittsburgh Police S.W.A.T. Team and the Bomb Squad for their courage yesterday. Luckily, the bombs turned out to be -- excuse me, the packages turned out to be hoaxes and not to be bombs but at the same time the members of the Bomb Squad who handled those packages did not know that and they really put their own life in danger in order to save the lives of others and I want to take a moment just to commend them for their bravery.

The Chair:

Thank you, Councilman. And, on behalf of all the Council, thank you.

Councilman Cusick, did you have a point to raise?

Mr. Cusick:

Yes, Mr. President. I'd just like to thank the Administration for offering legislation today that would help fix a road that's been in dire need for some time, that being Pioneer. The reconstruction of Pioneer is very important to most of South Pittsburgh and I just wanted to thank the Administration for moving ahead with that, reconstructing the sidewalks. The street has been in dire need for many years and I'd just like to do that. Thank you.

The Chair:

Thank you very much. Any other comments or points?

Hearing none, motion to adjourn. And again we will be meeting again Friday, August 2 at 10:00 AM.

And on the motion of MR. ONORATO

Council adjourned.

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R.MASCIO......Deputy City Clerk

Pittsburgh, PA Friday, August 2, 1996

PRESENT:

Mr. Cohen

Mr. O'Connor

Mr. Cusick Mr. Hertzberg Mr. Ricciardi Mr. Udin

Ms. McDonald

Mr. Ferlo

(Pres't)

ABSENT:

Mr. Onorato

The Chair:

Good morning, everyone. City Council's Legislative Session will now come to order.

Would you all please rise now for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have a young student here this morning. His name is Quinton Davis. He's 9 years old. He's going into 5th Grade at Regent Square Elementary School. He's from Councilwoman Valerie McDonald's District and Quinton likes to play football with the Kingsley Knights and belongs on the Shadyside Orioles Little League Baseball Team.

And, Quinton is going to lead us in the Pledge of Allegiance. Quinton.

Quinton Davis:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stand, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Thank you, Quinton. We appreciate you coming down this morning and our Clerk would like to present you with the flag of our great nation and the flag of our City. We hope you have a safe summer.

PRESENTATIONS

The Chair:

We have a couple of our Read and Adopted resolutions. I don't know if there is any formal guests in the audience to receive resolutions. Actually, I think I'm the only one that has one so I would ask the Clerk to please — okay, we have one from Councilwoman McDonald, we'll do that next. Why don't we do them together.

Councilwoman McDonald.

Ms. McDonald:

One for the record.

The Chair:

Thank you, Councilwoman. And, Councilman Ferlo, The Chair, presents.

MS. McDONALD PRESENTS

Bill No. 941 WHEREAS, Rosa Parks, a woman whose refusal to give up her bus seat to a white man, sparked the Montgomery, Alabama bus boycott in 1955; and

WHEREAS, Legendary Rosa Parks, 83, will be in Pittsburgh as part of a national tour of "Pathways to Freedom" which was developed seven years ago at the Rosa and Raymond Parks Institute for Self-Development in Detroit; and

WHEREAS, students in the "Pathways to Freedom" program will participate in workshops about black history and the civil-rights movement, including the Underground Railroad, a secret system of communication led by

abolitionists to help slaves escape to free states in the North and to Canada; and

WHEREAS, this year under the theme "Where Have We Been? Where Are We Going?" the "freedom riders" will visit 20 cities between July 11 and August 13. The cities include Memphis, Selma, Baltimore, Pittsburgh, and many others. The final stop is Detroit, Michigan.

NOW, THEREFORE, BE IT RESOLVED, that the Council in the City of Pittsburgh recognizes and commends the legendary Rosa Parks for taking the leadership role in continuing to educate our youth on their strong Black History.

SPONSORED BY COUNCILWOMAN VALERIE MCDONALD AND COUNCILMAN SALA UDIN

MS. McDONALD moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Also,

THE CHAIR PRESENTS

Bill No. 942 WHEREAS, the United States Coast Guard is a multimissioned maritime service and a joint member of the Nation's Armed services which maintains the Coast Guard Marine Safety Office in Pittsburgh; and

WHEREAS, the Coast Guard Marine Safety Office of Pittsburgh, under

the able direction of Rear Admiral Timothy W. Josiah, Commander of the Eighth Coast Guard District, plays a vital role in the safety and success of the Shop 'n Save Three Rivers Regatta; and

WHEREAS, The Coast Guard Marine Safety Office of Pittsburgh is responsible for marine environmental protection, commercial vessel safety, port safety and security on the regional river system covering southwestern Pennsylvania, southeastern Ohio and northern West Virginia; and

WHEREAS, thanks to the efforts of the Coast Guard Marine Safety Office, the Port of Pittsburgh, which ranks as the largest inland waterway port in the United States. is one of the safest ports in the country; and

WHEREAS, Sunday, August 4, 1996 is the 206th anniversary of the establishment of the United States Coast Guard.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby formally expresses its gratitude to the United States Coast Guard and Rear Admiral Timothy W. Josiah for their invaluable contributions and services provided to the City of Pittsburgh and the Shop in Save Three Rivers Regatta; and

BE IT FURTHER RESOLVED, by the Council of the City of Pittsburgh that Sunday, August 4, 1996 is hereby declared to be "U.S. Coast Guard Day" in the City of Pittsburgh.

SPONSORED BY COUNCILMAN JIM FERLO

MS. McDONALD moved to adopt the resolution

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. Moving to Presentation of Papers. As you know, we're recessing for about three weeks. Hopefully, some Council Members will have an opportunity to take a vacation, I don't know. Most of us will be around here.

We don't have any papers to present at this time, we'll present papers when we come back just after the first in September.

Are there any matters under Unfinished Business or Reports of Special Committees. Councilman Hertzberg.

UNFINISHED BUSINESS

Mr. Hertzberg:

Mr. Chairman, a couple pieces of unfinished business. I made a motion for a public hearing regarding the sale of the Asphalt Plant and I just wanted to communicate to you, Mr. President, to all Members of Council, the request from the Administration that this be held as quickly as possible in the first week that we're

back. They had hoped to move the legislation a little faster and with our break, there's really no opportunity to hold a public hearing. I was also reminded of our rule of 30 days so we should try to expedite the hearing.

The Chair:

We will set that up as quickly as possible.

Mr. Hertzberg:

Just one other matter, too. were scheduled to have a tour with the URA vesterday. I was able to attend and I just would like to comment that the tour was exceptional. I visited a number of different sites but I just wanted to communicate on one of them which is the Galotech Site because the speed with which this project is moving is totally incredible for the amount that's being spent there, the new jobs. This is going to be ready to operate in September this year, the Galotech operation. And just on the edge of West Homestead in Councilman O'Connor's District, I was very impressed with that facility and with all the facilities and maybe another time when Council would feel it advisable to get on a bus and drive around, we could do it again.

The Chair:

Thank you very much. Councilman O'Connor.

Mr. O'Connor:

I was there and in fact I pass it quite a bit and they are doing an outstanding job and investing a lot of money in the city so I was to thank the URA for all they've done for the project.

The Chair:

Thank you. Other comments?

We had one appointment regarding Mr. Letwin.

THE CHAIR PRESENTS

No. 933 Resolution appointing Jeffrey Letwin as a member to the City Planning Commission for a term to expire January 1, 1999.

Which was read

The Chair:

You've heard the reading of the appointment. What is the pleasure of the body? Is there a motion to approve?

MR. UDIN moved to approve the appointment.

MR. RICCIARDI seconded the motion.

The Chair:

Roll call vote on the motion.

The ayes and noes were taken agreeably to law, and were;

Aves:

Mr. Cohen Mr. Ricciardi Mr. Cusick Mr. Udin Mr. Hertzberg Mr. Ferlo Ms. McDonald (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the appointment of Mr. Letwin was approved.

The Chair:

The appointment stands. I want to congratulate, on behalf of all Council, the gentleman. It's a lot of hard work being on the Planning Commission and we know he will do an excellent job.

Moving to Reports of Committees.

REPORTS OF COMMITTEES

The Chair:

Beginning with the Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Mr. Udin.

MR. UDIN PRESENTED

Bill No. 943

Report of the Committee on Finance and Budget for July 31, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 830

Resolution Amending Section 1 of Resolution No. 140, approved March 22, entitled: Providing for advertisement for proposals and to award and enter into an agreement(s) and/or contract(s) or use existing agreement(s) and/or contract(s) for the purchase of Unisource Infrastructure to include cabling. equipment. supplies, communication. hardware, software, construction, and training; by including Professional Service Agreements and increasing the total amount by \$1,000,000, from \$2,500,000 to \$3,500,000.

Which was read.

Also,

Bill No. 857

Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Pittsburgh Water and Sewer Authority for the purpose of providing collection services for the City's delinquent sewage accounts; and further providing for a Memoranda or Memorandum of Understanding between the City of Pittsburgh and Allegheny County Sanitary Authority authorizing Pittsburgh Water

and Sewer Authority to perform collection services for the City of Pittsburgh.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill? (See pgs. 7-15).

The bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law; and were:

Ayes:

Mr. Cohen

Ms. McDonald Mr. Ricciardi

Mr. Cusick

Mr. Hertzberg

AYES 5

NOES 3

VOTING NO:

Mr. O'Connor

Mr. Udin

Mr. Ferlo (Pres't)

Also.

Bill No. 892

Resolution Providing for the issuance of a \$995.00 warrant in favor of Lee G. Grant in settlement of claim for sidewalk damage due to City tree roots.

Which was read.

Also,

Bill No. 893

Resolution Providing for the issuance of a \$1,287.32 warrant in favor of Thomas Thewes in settlement of claim for an accident involving a City vehicle.

Which was read.

Also,

Bill No. 894

Resolution providing for the transfer of funds from various code accounts to various code accounts citywide.

Which was read.

Also,

Bill No. 896

Resolution Providing for the advertisement for proposals and to award and enter into an agreement(s) and/or contract(s) or use existing agreement(s) and/or contract(s) for upgrades to the existing information infrastructure for the purchase to include supplies, communication. equipment, hardware, and software, at a cost not to exceed \$115,000.00, chargeable to and payable from Code Account 03-90-01-0044-96, Bureau of Information Systems, Department of Mayor.

Which was read.

Also,

Bill No. 898

Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which was read.

Also,

Bill No 899

Resolution providing for the issuance of a warrant in favor Lexis-Nexis in the amount of \$1,702.78 in payment for computer user research services for the month of June, 1996, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, City Council. (SPONSORED BY MR. FERLO)

Which was read.

Also,

Bill No. 915

Resolution transferring the amount of \$125,000.00 from Code Account Special Summer Food Service Program, Parks and Recreation, to the Senior Citizens Program Trust Fund, in the Department of Parks and Recreation. (This transfer is necessary to pay building rent for the Senior Program until the Department receives its yearly funding under contract from the

Allegheny County Institution District/Department of Aging. This is expected by October 1, 1996). (PRESENTED BY MR. CUSICK).

Which was read.

Also,

Bill No. 926

Resolution transferring \$75,000.00 from various Code Accounts within the Bureau of Operations and Administration within the Department of Public Works. (This transfer is necessary to continue operations for the remainder of 1996). (PRESENTED BY MR. RICCIARDI).

Which was read.

Also,

Bill No. 929

Resolution providing for the issuance of a \$2,308.55 warrant in favor of Craig & Carmelita Korbett in settlement of claim for property damage due to sewer back-up.

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills? Councilman Cusick.

Mr. Cusick:

On Bill 857, Mr. Ferlo, I believe everyone has a copy of an amendment that I'd like to offer to Council and my amendment is basically saying any uncollected delinquent accounts that the P.W.S.A. would collect would go to the rate structure to alleviate some of the additional rate increases that the Water

Authority has taken on. We would like this debt, the uncollected debt, to help bring that down.

I talked to Councilman Ricciardi, him being a board member and he agreed that this should go towards that. They're going to assume the responsibility of collecting ALCOSAN's uncollected debt and I think this is a way of saying to the rate payers we appreciate them doing that and by doing that this is a way that we could cut some of the rates for the water rate payer.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Mr. President and colleagues I think this is just a well thought out amendment proposed by Councilman Joe Cusick. What this does is, that any additional dollars that the authority will collect, not can and might collect, but will collect on the unpaid delinquent sewage bills from the past will be applied to the rate structure.

I voted against rate increases in the past. Unfortunately, in the last two years we're going to have a 9.9 last year and this October another 9.9. That means that these dollars cannot be used for capitol projects. So, if the P.W.S.A. in any way thinks that capitol projects are needed, they'll have to advertise it in the newspapers, a bond would have to be passed and it will be part of the public record and public discussion but in this case any dollars collected will not go for

capitol, will go right into the operating and will hopefully affect increases for the future years. I think it's well thought out, Mr. Cusick, and I'm in full support.

Mr. Cusick:

Mr. President, if I may, I'd like to read the amendment. "In order to further protect City rate payers I would like you to consider the following amendments to P.W.S.A. Memorandum of Understanding.

P.W.S.A. hereby agrees to make payment to ALCOSAN on behalf of the City on all outstanding delinquent accounts which will have accrued since January 1, 1996, under the terms and conditions of the Agreement and further agrees to apply any additional revenue obtained from collection of said delinquent accounts directly to the maintenance of the current rate structure." I believe this is something that would be good for --

The Chair:

-- my only opposition to this amendment is based further on my opposition to the bill itself. The \$6 million, in fact, is owed to the city taxpayers. We have already paid out of the city operating budget. The city taxpayers have already paid the bad debt that we are owed to ALCOSAN. That \$6 million, if it goes anywhere, should come back into the general operating budget and the coffers of the City of Pittsburgh.

I respect the fact that this is trying to make the best of what I consider bad legislation but I would have to respectfully vote no. If the \$6 million is going to go anywhere, it should come back to city government. In any event, Councilman Udin, Mr. O'Connor then Mr. Hertzberg.

Mr. Udin:

I'm not certain from the counter standpoint how we can assure or whether or not this legislation actually assures that funds collected in this manner would go to offset the rate. The current language reads that it would go to maintain the current rate structure which, if taken literally, would not be able to reduce the rate structure but only maintain the current rate structure.

I think the intention of the amendment is to be able to either maintain if there was some other motion to increase it but also to be able to decrease it if that was possible. In addition, once you put the revenue into the general operating fund, I don't know what would keep the administrator from being able to use the funds collected for some other administrative fund other than reducing the rate structure. I'm not sure that this language actually does it and that's my caution. I have no problem with the intent I'm not sure that it is specific enough and goes far enough to be able to reduce the rate structure by the amount of the revenue collected. That's one problem. The second problem that I have with it -- well, I'd like to have my comments from the Standing Committee brought forward on this matter. I frankly think that the Water Department ought to be paying the City back some portion of the amount of money that they collect. I

don't think it's sufficient just to say that this will reduce the rate. I think the City should be paid back a certain portion of that money the same way as if we sold the uncollectable debt as we have done on tax liens and traffic tickets and other things. We get a certain fee for that. But, I don's see how the City will recoup any of its \$6.3 million that it's already paid out by the current draft of the legislation.

(REMARKS--SEE ADDENDUM)

The Chair:

Well, it clearly will not in this resolution that's one of the reasons why I object to it. Councilman O'Connor then Mr. Hertzberg.

Mr. O'Connor:

I'd like my comments brought forward, too, and I think the intent is good especially for the future but again what we're missing when we -- we all want to help the water rate payers but by doing that, we don't want to do it at the expense of the city taxpayer and unfortunately when you're helping the water rate payer you're helping all the nonprofits, all the big office buildings that just surround where we stand and we are still stuck with the \$6 million, the taxpayers, so I think we're taking more of a hit than people realize so I'm not going to support this, the 857, because again it's coming off the backs of our taxpayers. It's very simple but it's very confusing. We think we're helping the water rate payers. In some way we are but we're also hurting the tax payers and the City of Pittsburgh residents are paying more of the taxes than they are the water. At least the water is shared by the nonprofits.

(REMARKS--SEE ADDENDUM)

The Chair:

On the amendment now and then I'm sure we're going to have more discussion on the bill itself but on the amendment. Councilman Hertzberg.

Mr. Hertzberg:

On the amendment alone and I would like to talk about the bill more and in fact at this time I would like to have my comments brought forward.

On the amendment itself, the form of it, it's actually an amendment to the form of the Memorandum Understanding that was circulated. So as it stands right now, it does not actually amend in any way the legislation and I just suggest to the sponsor of the amendment and I don't if we got to get into the issue of making a verbal amendment or not but that just a section be added that says, "the Memorandum of Understanding shall contain the following language" and put it in that way because the Memorandum of Understanding that was circulated is not part of the legislation but the amendment Memorandum amends the αf Understanding.

(REMARKS--SEE ADDENDUM)

The Chair:

Well, I think procedurally we can accept the fact that the intent here is to actually amend the actual Memorandum of Understanding but actually to place that in the actual language of Resolution 857 if that's acceptable.

Mr. Hertzberg:

But that language must be in the Memorandum of Understanding, that's my intention.

The Chair:

Resolution 857 is amended to specifically delineate the additional language that must be required in the language of the M.O.U. as worded by Section 2. Is that understandable?

Mr. Hertzberg:

It needs to be in the bill itself.

Mr. Ferlo:

Your point is well taken, it will be. Councilman Cohen, on the amendment.

Mr. Cohen:

Thank you, Mr. President. Just on the amendment and I would like my comments brought forward on the bill from last week but on the amendment then I'll talk on the bill later. I support the amendment because let's none of us hold our breath while P.W.S.A. considers reducing its rates. That will never happen, it never has and obviously it's not going to happen as a result of this legislation.

What we're worried about is that they don't raise rates as a result of this whole transaction because what's happening here is that Pittsburgh Water and Sewer Authority is getting the bad debt of ALCOSAN, they're assuming that bad debt and then they also get the right to collect on that bad debt. They're not going to collect 100 cents on the dollar so in the long run, not in the short run, and I think you're probably going to make this point, Mr. President, but in the long run Water and Sewer Authority is going to lose money not gain money on this deal and you know what they do when they're starting to lose money, they just raise rates like they did last time. They raised the rates 20 percent over two years. So, I think the important part of this is that they maintain the current rate structure and that this transaction doesn't cause them to raise rates and for that reason I support the amendment.

(REMARKS--SEE ADDENDUM)

The Chair:

Other discussion on the amendment?

Roll call vote on the amendment.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. Cusick Ms. McDonald Mr. Ricciardi

Mr. Hertzberg

AYES 5

NOES 1

(MR. O'CONNOR AND MR. FERLO, PRES'T, VOTING NO)

(MR. UDIN ABSTAINING)

The Chair:

The bill is amended and we'll make sure the appropriate language is in regarding the actual amendment of the resolution and the M.O.U.

Now on the bill itself, additional comments? Councilman O'Connor.

Mr. O'Connor:

I really basically made my comments but to explain. I support the intent of the future of the debt so I'm supporting the amendment but I'm not supporting the bill because it doesn't relieve us of our \$6 million that we've been paying them, the taxpayers.

The Chair:

Let me just clarify real quickly. I'm opposed to this legislation and I think it's bad policy for this City Council. I even question it legally and procedurally.

We are owed \$6 million. We have already taken \$6 million of our tax dollars

in the operating budget over the last few years in order to pay a legal obligation that the municipality that the City of Pittsburgh has with the municipality none as ALCOSAN. Albeit a bad deal now as opposed to the 50s when it was first entered into. That deal-- we should go back and change that deal. That deal is whereby the City of Pittsburgh must incur the bad debt for ALCOSAN. We have legal obligation for that. If we don't like that deal, we should go back and try to change it. To just transfer this burden to the water rate payers is not only unfair, I really question it from a legal point of view how we can transfer. Why does a water rate payer, whether it's a resident or a commercial water rate payer, why should she or he be burdened with the bad debt that this city government took on as an obligation? And it's also not democratic. That burden right now falls on all the taxpayers in the city. We're transferring it to only be on the backs of the water rate payers and as Councilman Ricciardi was slick enough to suggest to me. Councilman, you could look up when I'm talking. Even further and this is even slicker, the actual water rate payers that are paying this don't even include south of the river water rate payers because we have to make them whole and we reimburse them so that burden's even going to fall on north of the river and east end water rate payers and I want to thank Councilman Ricciardi for bringing that to my attention.

The fact of the matter is this is not a good deal. We should have the Pittsburgh Water and Sewer Authority go after the bad debt. It makes perfect sense to me administratively for the City to enter into an agreement or amend the existing cooperation agreement with the Pittsburgh Water and Sewer Authority. There is no reason why we should be doing collections in the Finance and the Water and Sewer Authority collecting the water bills. It should be coordinated, it should be done out of the Water and Sewer Authority, it should be done for some kind of a fee and it should be done with the coupling of shutting off of water. If people aren't paying their sewage bill, that should be coordinated with whatever the consumer policy is of the Water and Sewer Authority as it relates to delivering of water but this deal loses our \$6 million. That \$6 million is owed to the city treasury and the city's taxpayers that we've been burdened with and when and if the burden is removed, the Pittsburgh Water and Sewer Authority is going to raise rates basically in order to pay for this million dollar plus debt. It's \$2.5 million debt each year. Presumably and hopefully they'll collect more of the money than the Finance Department but at some point, that's going to be another costs item to the water rate payers. Water rate payers should reasonably expect their rates to go up based on infrastructure, administrative overhead, changes in the federal environmental protection laws, burdens that get placed on the delivering of the product but they should not have to pay bad debt because of a bad deal entered into by city government with ALCOSAN regarding the need for us to make ALCOSAN whole on bad debts for sewage.

I respectfully disagree with the proposal. I still question it from a legal

point of view and I just think it's bad policy.

Councilman Cohen.

Mr. Cohen:

Mr. President, I respectfully disagree with you on it but obviously the issues raised are important issues that we need to discuss. For me, it comes down to the question of who can best collect from people who are not paying their bills and I agree with you that 1950 -- I think it's '55 agreement, 1955 agreement was a horrible agreement and hopefully this whole issue will give city government a shot in the arm to go back with the County and try to change that deal. That deal stinks. Not to mention the activities of ALCOSAN does but the hopefully that's being taken care of on the North Side but the deal is a lousy one because it doesn't give any incentive for ALCOSAN to restrict it's expenditures as a result of it's inability to collect on a bad debt. That burden is shouldered right now by the City. Whether the City collects the debt or the Pittsburgh Water and Sewer Authority does, either way it's going to result in some kind of negative thing happening at one of those levels. If the City can't collect the bad debt then either we're going to reduce services or raise fees and/or taxes. If the Pittsburgh Water and Sewer Authority can't do it, then they're going to raise rates so either way it affects the same people. question is, who can collect more of that debt and do it in the most efficient way and in my view the Water and Sewer Authority can for two reasons. One is, they have been very efficient in collecting their water debt, their unpaid water bills and we've all praised the Water and Sewer Authority for doing it. If anything they've been a little too aggressive in some cases. They do it a lot better than the City does. The second is, the Water and Sewer Authority can cut off water. The City can't do that and that, of course, is going to result in far higher collections and what the City can do so for that reason, I just think it's a better deal for both the taxpayer and the water rate payer.

The Chair:

Again, as I said it before, I don't disagree with anything you just said and that's why I support a resolution amending the cooperation agreement to do just that. We should amend the agreement so that the P.W.S.A. collects the bad debt for sewage. I don't disagree with that and they've always had the power to shut off water connected with sewage, not just water. They just never implemented it. So, I have no objection to that being part of the cooperation agreement also. What I object to that \$6 million is owed to the City then why don't we just as a city hire a collection agency to go after our revenue like we've done in so many other instances with tickets and fines and back taxes and things of that sort on a fee basis. I mean, we're basically giving up that income and that's what I object to.

Councilman Hertzberg. We'll let Mr. O'Connor then Mr. Ricciardi for the last word.

Mr. Hertzberg:

Mr. President, I think that the reason we're doing that is to compensate P.W.S.A. for the burden they're taking on, I think that's pretty obvious. P.W.S.A. is taking on the burden of making up that gap, the gap between what they have to pay ALCOSAN for bad debt and the amount that they're going to collect. They are taking on that burden. As a result, we're giving them something without compensation back, they're not going to compensate us back and I think the figure of \$6 million is a misnomer, it's a total misnomer. In reality, that figure may be \$100,000. There's no doubt that a large amount of that is uncollectable. money that in most cases ends up getting exonerated when we sell these properties a lot of them are properties that may not even have a structure on it any longer, properties that are vacant and debt that is just totally uncollectable, some of it may be collectable. I don't know what the exact percentage is, I don't know that anyone has gone to the great effort of trying to find out what is and isn't collectable but the point is P.W.S.A. is receiving that in return for having to make up this gap amount that the City's been making up and that the city tax payer has been paying for over the years under a deal with ALCOSAN that we can complain about all we want but when we vote on this bill today, we have absolutely nothing to say about it. We're not going to undue the deal with ALCOSAN today with this particular legislation. The deal is in place, it's part of a number of bonds that ALCOSAN issued a long time ago and it's required to be the deal, it's what makes ALCOSAN so solvent, it's what makes ALCOSAN's rate so low. If we want to

try to undue that deal, I think we can but certainly this is not the time and the place at all to undue the deal. What it comes down to also is that we're shifting this gap amount from the taxpayers in general of the City of Pittsburgh to the rate payers of Pittsburgh Water and Sewer Authority which I think is actually more broad based and it certainly user related. Only the users are the ones that are going to end up paying now and not the public -- I mean, not the public but the taxpayer at large and it then includes some entities that aren't taxpayers or nonprofits that are out there that don't pay any taxes but by necessity and I think Councilman O'Connor brought this up rightly. They may not pay any taxes but if they use water and they use sewage, they still have to pay for that stuff even though they may be a nonprofit and not owe any taxes. It takes in a very wide geographical region when you think about all the different tenants of our different buildings throughout the city and whether they live in the city or don't live in the city, they're gong to end up paying for their water and their sewage.

And, finally, again the reason we'd like P.W.S.A. to collect and I guess you agree on this, Mr. President, is their ability to collect is clearly better than ours. We've been terrible at it in the city, we've been unable -- we can't use the shut-off threat that P.W.S.A. can use so again I'm in full support of it. Particularly, as amended, where these dollars would have to be used to try to keep the rates as low as possible.

The Chair:

Thank you. Councilman O'Connor.

Mr. O'Connor:

On a final note. This is a good deal for ALCOSAN, maybe it's a good deal for the water rate payers but it's a bad deal for the taxpayers. I'd respectfully like to change my vote to "no" on this amendment because I was under the impression and I half-heartedly agree if it was for future debt, this would be okay. The problem is, if they're collecting debt that's already owed as we're trying to explain, the taxpayers have paid that and it should go into the general fund so I would like to vote "no" on both. Again, there's two things we have to work for is changing that agreement and any future debt. If it helps the water rate payers, okay that's a new ball game but we've been paying this money -- the taxpayers' been paying for the delinquent water rates and the water rate payers, other water rate pavers, non-city residents that use the water, nonprofits are getting the benefit.

The Chair:

Thank you. That doesn't change the outcome of the amendment.

Councilman Cusick then Mr. Ricciardi for the final word.

Mr. Cusick:

Mr. President, I like the legislation in front of us. I think it's a responsible move by the City to give this debt to someone that collect it, someone who has the power to collect it. Whether or not you like the agreement that ALCOSAN has, it's the one that the authority is able to have some of the lowest rates in the country. It's why ALCOSAN's able to take care of some of the stench that is currently over on the North Side and we're working aggressively to do that. I can only say that whether or not the cooperation agreement with ALCOSAN needs to be amended or changed is something that we need to discuss down the line but with P.W.S.A. taking on the responsibility of collecting the debt, I think that they should have the additional uncollected debt to go along with that. I believe all we're doing here is robbing Peter to pay Paul and no matter which way you look at it the city taxpayers, they're the same people and they're going to reap from the benefits of this and that's the way I look at it.

The Chair:

Thank you. I think we're robbing the rate payer and the taxpayer but -- Councilman Ricciardi, for the last word.

Mr. Ricciardi:

Thank you. Having the last word you risk redundancy but let me just say we've discussed this, we've had these arguments, my colleagues are absolutely correct with very few exceptions. The rate payers are the taxpayers, the taxpayers are the rate payers and there's just no doubt about it. Before P.W.S.A. became operating, the City of Pittsburgh did not

collect bad debt on water. It was up to \$40 million. The first year we've collected over \$10 million because we have an aggressive shut-off campaign with no politics and no personal relations and unfortunately that happened in City Hall, someone will call a Council Member, someone will call the Mayor's office, that water kept flowing and the other rate payers subsidized that. It's not going to happen with this and let's be real here. If this -- as Mr. Hertzberg has pointed out if this \$6.5 million was 100 percent collectable, this cash strapped city would not be give it up to the P.W.S.A. but however we've known we're going to have a better chance of collecting it. I knew we were going to carry this \$1 million of bad debt on our books at P.W.S.A. for a few years at least and I thought we better, and this was the part I made part of the agreement, at least give us the \$6.5 million and it'll cover the But let me say, and this is somewhat disappointing, when we drafted the '96 budget, if someone was opposed to it they should have said it there because in '96 we did not put this down in our debts owed to \$1 million. If this doesn't pass today, it's not a problem for P.W.S.A. because we've already budgeted it. It's a problem for the City of Pittsburgh because where are we going to come up with an additional \$1 million if we truly have the structural problem that we talk about. This discussion should have occurred last year if we're very sincere about us keeping the \$1 million obligation. Thank you.

The Chair:

I have a lot of response but we'll pass.

Roll call vote on the remaining hills.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
	(Pres't)

AYES 8 NOES 0

The ayes and noes were taken agreeably to law, and were:

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Public Works, and Environmental Water Services. Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. The Chair:

Thank you.

MR. RICCIARDI PRESENTED

Bill No. 945

Report of the Committee on Public Works, Water and Environmental Services for July 31, 1996, transmitting two resolutions to Council.

Bill No. 927

Resolution providing for an agreement or agreements, or the use of existing agreements for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1996 and providing for the payment of the cost thereof which is not to exceed \$350,000.00, chargeable to and payable from Code Account 4-01-35-0077-96-500-96-01, City Source Associates, Department of Public Works.

Which was read.

Also,

Bill No. 928

Resolution providing for a Contract or Contracts, or use of existing Contracts for the purchase of litter receptacles, at a cost not to exceed \$30,000.00, chargeable to and payable from Code Account 1612-2, Equipment. (The receptacles are needed to fulfill the City of Pittsburgh's commitment to place litter receptacles throughout the City).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Councilman Ricciardi

Mr. Ricciardi:

Thank you. Colleagues, just on the payment to City Source Associates for \$350,000. These people do very fine work, they're paid \$7.00 an hour, they're very accountable. Right now, the City of Pittsburgh is in the arrears for \$150,000 so I really think we have to send a strong message to our treasurer and that is, that they really need to pay up these invoices because if not, how are they going to continue carrying us because what they're doing is they're using other dollars to make up the \$150,000 and we all receive calls in our offices on how bad weeds and debris are on City-owned and three taxing bodies. So you want to talk about a cash strapped city, we better start paying our bills to City Source or we're going to receive termination notices. Thank you.

The Chair:

Thank you. Just on this point pending the final adoption, could we please hear from the budget director, budget staff person Miller what the status is of the payment to City Source?

Other discussion or comments?

Hearing none, the bills is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law; and were:

Ayes:

Mr. Cohen
Mr. Cusick
Mr. Ricciardi
Mr. Hertzberg
Mr. Udin
Ms. McDonald
Mr. Ferlo
(Pres't)

AYES 8 NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Planning, Zoning and Land Use, Mr. O'Connor for Mr. Onorato.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Mr. O'Connor.

MR. O'CONNOR FOR MR. ONORATO PRESENTED

Bill No. 945

Report of the Committee on Planning, Zoning and Land Use for July 31, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 821

An Ordinance amending the Pittsburgh Code, Title Nine. Zoning District Map No. 3, by changing from "S" Special District and "R2" Two-Family Residence District to "RP" Residential Planned Unit Development District certain property having 426 feet of frontage along the northerly side of Steuben Street identified as 1110 Steuben Street, 20th Ward. (Council District 2).

Which was read.

Also.

Bill No. 822

Resolution approving a conditional use under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended, to National Church Residences for authorization to construct a three-story structure with 43 units of housing for the elderly and 1 unit for a resident manager at 1110 Steuben Street, with parking to accommodate 11_22 automobiles, on property zoned "RP" Residential Planned Unit Development District, 20th Ward. (Council District No. 2).

Which was read.

Also.

Bill No. 887

Resolution providing an Agreement or Agreements with Trans Associates Engineering Consultants, a consultant, for the purpose of providing transportation and parking impact study of the Federal North Redevelopment areas, at a cost not to exceed \$15,000.00, chargeable to and payable from the 1993 Capital Budget, Department of City Planning; Account name: Improvements to Support Private Development Initiatives, 03-35-05-0147-93.

Which was read.

Also, Bill No. 888

Resolution authorizing and directing the Mayor to enter into an Agreement's with social service agencies, professional service consultants, vendors or contractors, and providing for administrative/staff costs related to the implementation of the Enterprise Community Grant Program, at a cost not to exceed \$2,947,368.00.

Which was read.

Also,

Bill No. 889

Resolution authorizing and directing the City Controller to create a trust fund, to be designated the Enterprise Community Grant Program Trust Fund (ECGPTF) for the deposit of monies from the Pennsylvania Department of Public Welfare or other sources and authorizing the use of the monies deposited into said trust fund to support the implementation of the approved Federal Enterprise Community Plan including; but not limited to: Community Internet Access (professional services, hardware acquisition, operating expenses); SPEDD Entrepreneurial Program (professional services re: small business development); Family Support Centers (operating costs for centers re: health care, violence prevention, job training); Coordinated Child Care network (start up costs for childcare system): School/youth violence prevention; Ezone Coordination (professional services. equipment, office expenses 5 years)

Which was read.

Also, Bill No. 890

Resolution Approving a conditional use exception under Section 993.01(a)A(4) of the

Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Warren E. Gottschalk (Warren Associates) authorization to demolish a 2-1/2-story building and replace it with a community parking area with a maximum of 7 parking stalls to be located at 2814-2816 McDowell Street on property zoned "R3" Multiple-Family Residence District, 27th Ward

Which was read.

The Chair:

Excuse me. Did you read Bill 821 and 8 --

Ms. Johnson-Wasler:

-- they were the first two bills.

The Chair:

How come they're backwards on our agenda?. You read them?

Mr. Hertzberg:

They were encroachments.

The Chair:

Okay. Excuse me.

You have heard the reading and title of the bills, is there any discussion on the bills?

Councilwoman McDonald.

Ms. McDonald:

Not necessarily discussion on the content of the bill but an administrative recommendation that I would hope Council would embrace.

Often times we have these agreements with businesses --

The Chair:

-- which bill, Councilwoman?

Ms. McDonald:

Excuse me, 887.

The Chair:

887.

Ms. McDonald:

This is just one example of a number of bills that we often get where we're voting to enter into agreement with a company. I would like for the Administration to start recording on our legislative agenda the address of the company, of the business, so I know whether it's in Pittsburgh, if it's not -- It would just be nice to know a little bit more than just the name of the company but where they're located.

Mr. Hertzberg:

28th Ward, City of Pittsburgh.

Ms. McDonald:

Well, you know that. I don't know that but just an address and I'm surprised it's not in here. It's just something that bothered me because I don't know this company at all. So, I would like for Council to hopefully go along with this as a recommendation to the Administration in the future.

The Chair:

We, actually, have asked many times and I think by resolution we've done it that the principles of the various of the consulting groups should be listed in the resolution so we'll correct that in the future.

Councilman Cohen.

Mr. Cohen:

I support Councilwoman McDonald's point and we have tried this many times in the past. What we may have to do and I certainly support it is actually have a bill and if we do that and pass the bill then the solicitors -- most likely the Solicitor would have to send a memo to all the department heads to alert them to this so I think we probably should go on that route.

The Chair:

Very good. Councilman Hertzberg.

Mr. Hertzberg:

Thank you. On Bill Nos. 821 and 822 regarding the Elliott 44 unit senior dwellings, I ask for my comments to be brought forward and remind Council that in response to some of the concerns raised at the public hearing on this legislation the bill has been amended to increase -actually double the amount of parking that had come to us at Planning's recommendation to 22 spaces and also to add the requirement that the developer hire a traffic consultant at the developers cost and that the developer be required to pay for any signals, signage or the like, the traffic consultant recommends and that our Engineering and Construction Department approves.

Seven votes are required for this legislation to be enacted. If anyone has a problem with it I hope they'll bring it up now. I can recommit it if necessary rather than have it defeated. But, I hope Council will support the community of Elliott in this. I think by and large, the vast majority of the community, certainly Neighborhood Organization, West End Elliott Joint Project from which several members were here at the public hearing is 100 percent in support of this and in fact went out, was able to find this particular pot of money floating around out there and I even have some jealousy amongst other members of Council that were unable to be as quick to grab it as this particular organization was. We've done our best here to resolve some of the problems and the benefits to the community far outweigh the detriments. As I said, if a member of Council has a particular problem, I hope they'll make it known now so that I can make a decision on whether it needs to be recommitted in order to get seven votes.

(REMARKS--SEE ADDENDUM)

The Chair:

Thank you, Councilman. Councilman Udin.

Mr. Udin.

Yes, Councilman. I wan to congratulate the sponsor of the bill and those who found the money for being able to do so but I'm also aware of the testimony at the public hearing and the constant presence of a sizable portion of surrounding property owners that have been consistently objecting to the location of this site. I haven't had the opportunity to actually get out there and look at the site although I intend to do so. Hertzberg decides for whatever reason to recommit the bill I certainly will make it my business to get out there and take a physical look at myself. There are a number of physical issues having to do with the upgrade and the traffic patterns et cetera. So if it is recommitted, I certainly would take the opportunity to take a look at it but I have some serious reservations about it at this time.

The Chair:

Thank you.

Mr. Hertzberg:

Can I make a comment?

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

On the issue of recommittal. Recommittal may mean that this money is gone also. I have to mention the time frame of this and how quickly that the actual plans, completed plans, must be submitted by the last day in September so recommittal may mean the end also but it's clear as less than seven votes would mean the end.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you. I don't think Mr. Hertzberg it's a case of jealousy, it's a case of congratulations. These dollars are very rare, they're very difficult to obtain, they're very competitive, it's a good program administered by HUD for the 202 Program. they were pursued Beltzhoover and Arlington and we were disappointed we did not receive it. I think there were some major issues that were discussed. One was traffic and the other one was parking and Mr. Hertzberg can speak to those two amendments that were point forward, they were supported by this body as a whole. I think those two amendments have been very helpful and they clarify the case.

Obviously, there's always going to be strong opposition and very determined opposition on any issue that we take here in City Council and very few times on such monumental pieces of legislation or monumental funding are you going to have 100 percent support in the neighborhoods.

I've witnessed that in the South Side. I think we have a very exciting development on the LTV site. However, we do have some opposition to anything being on the LTV site but we have to move ahead. So, Mr. Hertzberg, I'm prepared to vote today. I will tell you that if for some odd reason that you do not utilize those dollars that I'll be first in line for them. Thank you.

The Chair:

Other discussion? I could not vote for this originally because I thought very clearly the site plan with such a drastic reduction down to 11 parking spaces was totally inadequate and not practical for a building of this sort. In addition, this intersection clearly is a failed intersection already. Let alone with the addition of a mid-rise structure as proposed by way of Thirdly, ideally, if all this resolution. things were nice and they aren't always the case when you do planning and community development, this ideally is probably not the best location given the character of the proposal and the constituents and residents that will live there. Ideally, probably this site is better for single family residential construction. I don't know that that's necessarily our job here on Council. I think our job is to try to evaluate what the effort has been on the part of the community to develop the highest and best use of this particular vacant site. We don't need empty lots the City of Pittsburgh. Every single piece of property in this City probably has a higher and better use if it's an empty lot, a higher and better use than what it presently is and I think this site is included. I think the community did go through some level of due diligence to try to evaluate different sites in the area, a number were mention. And for whatever reason, they came up on this site and that was their concluding target that this site was the best location. I do know the letter received today from State Senator Jack Wagner's fully in support and I believe participating on the governing board. I think given Mr. Hertzberg's amendments which deal with changing the site plan for the 22 spaces which still requires a lot of landscaping, this is a three story structure as well as the fact -- there's still a major hurdle. Even if this passes today, and I

think the developers probably conscience of this, there is still a major hurdle with Mr. Hertzberg's amendment and that is, the traffic planning consultant must be hired. That is an expense, that is not an easy thing to deal with. Every time I've been involved, I think all of us as Council, when we've seen traffic reports given the fact that this is already a failed intersection as well Mr. Hertzberg's bill specifically puts the burden not only for hiring the consultant but also to pay for whatever remedial changes to the traffic pattern whether it be traffic signalization, lighting, crosswalks, those are all big ticket items especially if you're talking about a red light. That burden is going to fall on this developer. That may be a killer to this deal, I don't know because in the past it has been. We've had deals killed because of traffic signalization and it became a situation where it just was not considered prudent financially from the point of view of the developer. So, I think Mr. Hertzberg's put in two important safeguards. It obviously doesn't please all the adjoining property owners and I can't diminish the fact that they object to this. That's their right. I think they believe this violates the residential character and the contract that they believe they entered into when they purchased that property. But, as a city being an urban area, we have to weigh the minus - you know, the good and the bad and the minuses and the pluses and overall I think given the two safeguard amendments of Mr. Hertzberg I think it's prudent to be supportive of this proposal.

Councilman O'Connor.

Mr. O'Connor:

Just to echo what you've probably said. I think the neighbors brought up a lot of good questions and I trust that they will be resolved but these are federal dollars that don't come easily and they're all regions. I had an opportunity to look at another one and before you know it Sharpsburg got the money. The people in the West End Elliott need it, there's a growing need for that for senior citizens and I think it's our duty and our job to make sure that our seniors can stay in the neighborhoods that they've been raised in and lived in all they're lives. Everything may not be perfect but they chose to live there, they want to be there and I trust Mr. Hertzberg to resolve the one or two traffic issues. Traffic is a problem all over our

city right now and a 40 unit high-rise for seniors probably only seven or eight will actually drive themselves so it's not going to be that much of a burden and because that area is similar to my area the tunnels are so backed up that you're going to face that problem unless we come up with long term answers whether it be the busway to relieve all our neighborhoods so I certainly will support this today and I encourage him to work out the traffic details and I'm sure he will.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

I was not privy to the public hearing. I would just have - Councilman Hertzberg is side-baring right now but I would just have a couple questions and let me get all my questions out. One is, how many individuals, was there a petition, was there a survey of residents in that immediate vicinity that were opposed versus in favor? How did that fall out? Number two, the 43 units of housing for elderly, is this going to primarily accommodate residents, the elderly within that community? Are they going to come from outside the community. of Personally, if they're coming from within the community I have absolutely every reason to fully and wholeheartedly support You're talking about your own constituents, your own neighbors, your own people and personally I can tell you this as one Council Member I would ultimately disappointed and quite angry if I had to make reasonable decent living for

senior citizens in my district and have to do that and I would have to deal with the heat. I would have to take the hit for it. But, we have to accommodate people within our districts in affordable, decent housing and again you're not going to get 100 percent consensus. So, would those 43 units accommodate people from that area? And the third -- it's not really even a question, it's just a comment. there's like seven to nine senior complexes within Council District 9. You don't have a traffic problem folks. They're people that take the bus. They don't have vehicles. They're senior citizens and often times they can't get around in cars so you really don't have a car problem. I can just speak from absolute 100 experience. I've never seen a traffic congestion problem in any area in my district, in Council District 9 of all of these high-rises, all of these complexes. Never, never. Maybe shopping but we're not talking a shopping mall, we're not talking a business, we're talking about people who have to live. So, I would like you to address these questions. My initial intent is to fully support this as I would fully support -- I think it would be just negligent on my part, as many senior citizens in my district, not to support any type of construction, any type of resolution to accommodate their needs and to give them affordable housing, to give them decent housing, good housing that deserve particularly when they can no

longer be able to be able to take care, maintain and even afford an individual residence. So, if you could just answer those questions.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

I'd be happy, I'll do my best. As far as any kind of vote that was taken, the official public notification in our Planning Commission report indicates on April 29, notices were mailed to 30 owners, 17 occupants and 8 registered organizations. Ten notices were posted. There was one received in favor, none opposed but I don't think that's a real good indication, the one to nothing vote. There have been numerous community meetings there's been extensive community discussion without really being able to quantify exactly what the results are. The vast majority of the community is in support, not just silently, you know, it's okay. They

are in full support and that includes every type of community organization that there is. the West End Elliott Business Association, a group of business owners. the West End Elliott Joint Project which is a development organization which actually was the initiator of this and also the West End Elliott Citizens Council which is just a neighborhood group. They're all not just saying okay, they're all actively behind this and in support of it so we -- there are a few that oppose but the vast majority approves it and who it will accommodate. Certainly, the design is the residents of this area and that was what was stated at the pubic hearing. That in this particular area, Western Pittsburgh, there are only two such facilities right not and we have big waiting lines of both of those facilities. So, the need is there. In fact, it was

mentioned that in an adjoining suburban borough, Crafton, with a much smaller population of seniors than Western Pittsburgh, they actually had much more units of this kind of housing so there's a need there within the community. The people there say they want to stay in the community, the seniors, but they no longer need their homes. The demand is there and that's why the proposal.

Ms. McDonald:

Thank you.

The Chair:

Other discussion?

Just a couple of things that are pointed out. The 202s that I've been involved with, including the Lawrenceville, I would say 90 percent of the tenants came from the immediate community of Lawrenceville and some of the others that we've done including the ones in the North Side on Perrysville Avenue.

Secondly, the income guidelines in the 202 are a little bit better and I say better in the sense that unlike let's say a public housing authority senior high-rise where an income guideline is usually lower, the 202s allow for a retiree who may have both the benefit of social security check and a pension and more likely would be able to gain access to the 202. There's a higher income threshold which does create a situation I think to

some extent that there's more likely that individuals may have vehicles and cars and I think that was a concern about the parking lot situation for this project.

Councilman Udin.

Mr. Udin:

I thank the colleagues for the discussion of this. I've been moved by the information. I guess most importantly I did not hear before today that if the deal was delayed, there was a chance that the money was lost. I appreciate the difficulty in being able to access the 202 funds and I also know how easy it is to lose them if you delay so on that basis and on the full faith and credit of the Councilperson in that district, I will be supporting this legislation today.

The Chair:

Other discussion on this bill or other bills?

I do want to make a proposal for an amendment on Bill 888 regarding the \$3 million disbursement of funds in the empowerment zone based on discussion the other day. If there's no objection, I'd like to suggest that Council Members O'Connor, Councilman Udin, not only in his role as Finance Chair but also given the fact that he and Mr. O'Connor represent large parts of the area that are in the empowerment zone district, and Councilman Hertzberg because of his role also on the URA board that these dollars are in some way to be kind of tagged with economic development, economic opportunities and a lot of the URA program developing program dellars need to tie in to the strategy for the empowerment zone. So, this has to do with changing this governance board so that these three colleagues and/or their appointees would be on that governing panel.

Mr. Udin:

So moved, Mr. President.

The Chair:

This was a follow up to a discussion the other morning.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

The Chair:

We can also add or change the names. I didn't have time to speak to everybody necessarily this morning. It's been moved and seconded.

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President, and I appreciate this amendment but I just really wonder if it goes far enough. It reads, the governance board pursuant to the implementation of this resolution shall include Council Members O'Connor, Udin

and Hertzberg or their appointed designee which I appreciate. I have great concerns I have great concerns with the budget that was provided. I don't agree with it at all but I'm wondering, you know, there's nothing else in the legislation about a governance board so if we have the three Council Members and 15 other people on a governance board without any particular rules or you know it's -- that's why I had a problem with this on Wednesday. It seems like it's a lot of money, it's \$3 million, it's a whole bunch of different things, it was crammed in on a day when we had a 5 hour meeting and it got to us. The particulars here got to us there at the table and I just have great concerns about this. I appreciate your efforts here to resolve them but I don't know that it does.

The Chair:

I actually -- the other day I was hoping we could hold it until after the break but there wasn't majority support for that. It's really up to the body. I don't --

Mr. Ricciardi:

Motion to recommit 888 and 889.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Mr. Udin:

There is a -- if I may speak on the motion to recommit?

The Chair:

Councilman Udin.

Mr. Udin:

There is a similar time problem that is involved with empowerment fund monies. HUD has been moving on several fronts across the country both with HOPE 6 funds and with these empowerment funds and indicating to communities if they do not move rapidly, the funds will be allocated to other cities. That is the reason why we received it at the last minute. There is a provision for a governance body to make decisions, final decisions, on all of the proposals. What we received the other day were proposals and the governance body will make the decisions on whether or not those proposals are accepted or how they are accepted so there will be adequate opportunity for people to participate and to guide the priorities and to take care, I think, of all of the concerns that were raised at the Standing Committee Meeting, including those that were raised today but today we need to authorize a planning department to accept these funds and then argue about how we're going to administer the funds later but if we fail to accept these funds and especially if we wait until after the recess we stand, I think, a great chance of losing the funds all together.

The Chair:

Just by way of further information. It's not clear to me that the department has actually been in receipt yet of formal proposals. I think they're still at the level of engaging the community and various

nonprofits to respond to proposals. What we could do is move ahead on the actual bill today with this amendment and still come back right after the break and further refine it. I don't think we're going to actually -- the Administration I don't think is going to actually lock in contractually the money over the next 20 something days. I think -- I would strongly suggest we abide by Councilman Udin's observation about moving ahead with this proviso about the governing board and then we can revisit this issue if we need to make it stronger regarding the actual disbursement of the dollars.

We have to have some faith in the Planning Department and the folks involved to this extent. I think they've adequately broken down -- I think if you had time to read the documents that were presented by the Planning director. It talked generally about various program areas of what constitutes eligible dollars for the empowerment zone. It did make reference to some lead agencies and that was Mr. O'Connor's concern because there was a perception that other agencies possibly in his Council District were not indicated as opposed to for instance Manchester or the Hill House but I don't think any of that has been locked in stone in terms of actual -- at the point of entering into contract.

So -- why don't we go Mr. Ricciardi, Mr. Hertzberg, Mr. Cohen.

Mr. Ricciardi:

Thank you. I'll be brief. Unfortunately, when these two bills were

discussed, I had constituents who came to visit so I was out of the room. Just early this morning I was able to look at some of the breakdown on how the dollars are going to be spent. If one looks carefully at the legislation before us. 888 is authorizing and directing the Administration to enter into agreements with agencies, consultants, vendors and contractors. In no way it mentions the receipt of funds. 889 is directing the City Controller to set up a trust fund. Unless there's more detailed legislation or memorandums of understanding not with this particular legislation, in no way does the two pieces before us, 888 or 889, discuss in any great detail on the receipt of dollars

The Chair:

We have been informed at the table that we are in receipt of the \$2 million or we're about to be in receipt of the money. That this is a guarantee and we are to be in receipt of these dollars.

Mr. Udin:

We would not be able to receive the funds unless we set up the trust fund.

The Chair:

Exactly. That's why we need to move quickly. We have been awarded these funds and I think we'll raise an eyebrow if we seem to be dragging it.

Mr. Ricciardi:

My concern is and then I'll just give up the floor. My concern is that once the trust fund is set up, that we lose in any direction or authority expenditure of dollars. I'm going to be perfectly frank with this body. I'm very happy concerning the school youth violence prevention, I'm very pleased with the family support centers, very supportive of that. Matter of fact, that was something that Mr. Bob Nelkin with Allegheny County has been doing very successfully in the East End. I'm very concerned about the amount of dollars and the hundreds of thousands of dollars that are going to be spent on community Internet access, hardware acquisition, operating expenses and how those dollars are going to be used. I'm being very honest with this body. If these bills are not recommitted today, I'm not voting for these two bills in the affirmative. Thank you.

The Chair:

Other discussion? Councilman Cohen.

Mr. Cohen:

I have a possible suggestion here. As I read these bills, there are two bills. One is to create a trust fund to receive the money from the federal government. The other is to authorize City Planning to enter into agreements with various agencies. It seems to me that Council wants to do everything it can to not place any obstacles before the receipt of that money but at the same time wants to maintain some kind of

control over where that money goes, what agencies in particular.

Just as a suggestion. I know that we would probably have to waive the rules of Council to be able to do this but on 889 it specifies that we're creating a trust fund to receive these monies and then it lists a few uses for those monies. Not all of them because it specifically says including but not limited to. What I might suggest on that bill and I haven't discussed this with anybody because I just thought of this now so if people have opposition to it please say so, is to strike everything after the words federal enterprise community plan so that we're just authorizing the receipt of money into a trust fund.

The Chair:

Can I make a suggestion, all due respect?

Mr. Cohen:

Please.

The Chair:

What if we amend Bill 888, taking both concerns to mind. One, we make clear the governance board should include the three colleagues or the designee but two, on Bill 888 in the first sentence. If we were to amend it, resolution authorizing and directing the Mayor and then we would add "," upon separate authorizing Council resolution, to enter into agreement or agreements.

Mr. Cohen:

That was going to be my second suggestion.

The Chair:

This way it means we move ahead with the planning, Council gets to be on the governance board, they come back to us for specific authorizing resolutions on the contract level.

Mr. Cohen:

That was going to be my second suggestion, Mr. President. Just to add three words with Council approval.

The Chair:

Well, let's have a motion to suspend the Council rules so we could have this --

Mr. Udin:

So moved.

Mr. Ricciardi seconded the motion.

The Chair:

Moved and seconded.

All in favor?

WHICH MOTION PREVAILED.

The Chair:

The amendment as proposed is two fold. On Bill 888, the first amendment

will be — if the Clerk can follow. First sentence, resolution authorizing directing the Mayor and the additional language will be "," upon separate authorizing Council resolution, to enter into an agreement or agreements and the second resolution is in writing, Section 2, the governance board pursuant to the implementation of this resolution shall include Council Members O'Connor, Udin and Hertzberg or their appointed designee.

Mr. Ricciardi:

And, what else to 889?

The Chair:

I don't think we need to change 889.

Mr. Hertzberg:

I think you do, Mr. President. I think you do because -Mr. O'Connor:

I agree with 888.

Mr. Cohen:

Can I hold the floor for one second?

The Chair:

Excuse me. Just a point of order. 889 is only the creation of the trust fund. the actual ability to enter into agreement is by resolution 888.

Mr. Cohen:

On 888, Mr. President. Just so we finish with that, you should repeat the same language on Section 1 as you had in the first paragraph because it does say the Mayor and the Director of City Planning.

The Chair:

That's fine so that'll be part of the amendment.

Mr. Cohen:

Okay.

The Chair:

Now on that amendment which is going to be clearly stated both in the Preamble and Section 1.

Councilman Hertzberg.

Mr. Hertzberg:

Thank you. I think that's a good way to do this. Again, I'm not sure what this — to repeat my one concern. What is the governance board? I still — nobody's explained that to me yet. They said I'm going to be on it which is fine with me but if it's three Council Members and 75 other people that feel differently from us, it doesn't make much difference.

The Chair:

Well, there's two safeguards now. There's the board of which three of our colleagues are on it and they have to come back to enter into a contract.

Mr. Hertzberg:

Right and that suits me so I can live with this. I still have that concern and we'll see what happens. On 889, I'm in support of Councilman Cohen's I think it's amendment. a good amendment although as you've acknowledged this is just establishing a trust fund. If that's the case, why do we need to say all these other things? It's opening the door for things, as I said, I want a voice in and I don't approve of them so why do we need it in there at all and that's why we want a voice so that we're not committing ourselves to all of this.

The Chair:

Okay, let's do this. Let's vote on the actual amendments to 888 and then clarify the amendments on 889 so the Clerk's office is not confused.

Is there any more discussion about Bill 888 which clearly has two amendments, the governance issue and they must come back by separate resolution to actually enter into contract with any of these agencies.

Mr. Ricciardi:

Just discussion on that.

The Chair:

Councilman Ricciardi:

Mr. Ricciardi:

And, I'm going to support that as a courtesy of the entire body. Just for a matter of discussion, why is it needed. If they're going to come back anyway, why even pass anything?

The Chair:

They are not coming -- I never said they were coming back.

Mr. Ricciardi:

If they're going to come back for further authorization; correct, under this amendment?

The Chair:

Yes.

Mr. Ricciardi:

Well, what benefit is it to pass 888, then? The question I have to you. What does it exactly do in the process of receipt of these dollars?

The Chair:

Well, for one thing it clearly establishes that we want to receive the funds as we have a requirement from HUD to have an authorizing resolution. It moves ahead the governance board in the process of letting out a request for a proposal so this governing board can entertain proposals with the requirement that they must come back to us for a

formal -- by the time the come back hopefully it's going to be kind of a protocol or --

Mr. Ricciardi:

-- just on that note because I want to support this. I'm going to withdraw my motion to recommit. On the governance board, though, however Mr. Hertzberg can we place a number to it?

Mr. Hertzberg:

We could do that right now, yes.

The Chair:

The only reason why I was suggesting we not do that --

Mr. Ricciardi:

-- well, let me finish if I may.

The Chair:

Go ahead.

Mr. Ricciardi:

Thank you, Mr. President. My question is directed toward Councilman Hertzberg who's raised an issue of if there's 75 on the governing board, there's three Council Members doesn't mean anything. Why can't we now in this amendment place a cap on the number of people that are on the governing board of nine?

Mr. Hertzberg:

I don't know. I don't know enough about the authorizing legislation, the empowerment zone legislation that say what the governance board can be or cannot be and that's very unfortunate. We should be aware of that. I don't know if anyone else has --

Mr. Ricciardi:

Does anyone have the answer to that?

The Chair:

The only caution that I would have to my colleagues, Mr. Ricciardi, is that we already indicated by way of an earlier resolution when we sought these funds, we indicated to HUD and there are specific HUD requirements, HUD requirements that there be a community-based governance board. It has to be broad based, it has to be individuals from the --

Mr. Ricciardi:

-- does it mention a number, Mr. President?

The Chair:

I don't know if it mentions a number but why mess around with that at this point?

Mr. Ricciardi:

Well, here is what I'm saying. What we could do is we could word it in such a way to the issue of nine -- Councilman Hertzberg --

Mr. Hertzberg:

I'm huddling with Councilman Cohen, we're just trying to work this out.

Mr. Ricciardi:

Oh. I'm sorry. If Council President Ferlo is correct and the governance board is already dealt with under HUD regulations, we could word it in such a way that bar any restrictions by HUD. We are placing the cap of the governance board at nine which I think is a very fair number which only give us 33 percent of the vote. So, I'd like to throw this back to you and I think we -- suspend the rules. I'd like to further amend this that the governance be capped at nine voting members unless prohibited by HUD regulations. Can I receive a second on that?

Mr. Cusick seconded the motion.

Which motion prevailed.

The Chair:

Councilman Cusick.

Mr. Cusick:

I have to agree with Mr. Ricciardi only because if the reason we're not going make a cap on it is that we're worried about what HUD allows us to do then why are we even going to pass the governance amendment, your amendment Mr. Ferlo? We may not be able to do this legally and so — I mean, unless some of these

questions are answered none of this is worth it.

Mr. Ricciardi:

I want to move the bill but I want to move it with that additional amendment that we cap at nine unless HUD restricts it.

The Chair:

Would there be any objection to a 5 minute recess so we can just clarify this with the Administration, the Planning Director, so we can be clear on the amendments so we can recess in good faith and not be in any way viewed as obstructing the ability to move ahead?

Mr. O'Connor:

In our five minute break -- I think Councilman Udin brings up a very important point but I believe that the discussions, a lot of it was just to try to hire the personnel so if there is no problem as far as losing the money, we may just want to hold it, too, but I don't to lose it.

The Chair:

Please empower me. I would discuss it quickly and we'll come back with an appropriate amendment in 5 minutes. We'll also discuss the issue about the hold versus the hiring of the staff persons.

Mr. Hertzberg:

Point of procedure.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Can we vote on these other bills in this committee at least, get them out of the way before our 5 minute recess?

The Chair:

Yes. Before we recess, roll call vote on all of the bills in the committee except Bill 888, 889.

The ayes and noes were taken agreeably to the law, and were:

Ayes:

Mr. Cohen	Mr. O'Connor
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
	(Pres't)

AYES 8

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

We will have a 5 minute recess to resolve issues involving Bill 888 and 889. City Council stands in 5 minute recess.

And on the motion of Mr. Ricciardi,

Council recessed.

Pittsburgh, PA August 2, 1996

And the time of recess having expired, Council reconvened.

The Chair:

I'd like to recess and bring City Council's Legislative Session back into order. The business at hand is, a motion will be entertained to recommit Bill 888 and Bill 889 for further discussion.

Mr. Ricciardi:

So moved for discussion.

Mr. Hertzberg seconded the motion.

Which motion prevailed.

The Chair:

The motion on the floor is to recommit Bill 888 and 889 and I will only quickly state that the --

Mr. Ricciardi:

-- right. That was my original motion. I just want to make sure that the dollars are not in jeopardy, then?

The Chair:

No, they are not.

Mr. Ricciardi:

Okay, thank you.

Mr. Hertzberg seconded the motion.

The Chair:

All in favor?

WHICH MOTION PREVAILED.

The Chair:

The two bills are recommitted. Okay, five votes to recommit.

Mr. Ricciardi:

Roll call vote.

The Chair:

Roll call vote on the recommittal of 888, 889.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Hertzberg	Mr. Ricciardi
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	(Pres't)

AYES 5 NOES 1

(MR. UDIN VOTING NO)

The bills having received the legally required number of votes passed finally.

The Chair:

Bill 888, Bill 889 have been recommitted. We'll take them up immediately at our next Standing Committee Meeting. There is no jeopardizing the funds.

That concludes our Committee of Planning, Zoning and Land Use.

Moving to Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you, Councilwoman.

MS. McDONALD PRESENTED

Bill No. 946

Report of the committee on Housing, Economic Development and Promotion for July 31, 1996, transmitting sundry resolutions to Council.

Which was received and filed.

Also, with an affirmative recommendation,

Bill No. 880

Resolution approving execution of a Disposition Contract by and between URA and Ebenezer Baptist Church for the sale of Parcel Nos. 74 and 75 (Block 10-N, Lots 189, 190, 191, 192, 193, 194, 195, 196, 198) in the 3rd Ward of the City of Pittsburgh for \$4,000.00, Redevelopment Area No. 31.

Which was read.

Also,

Bill No. 881

Resolution authorizing the URA to acquire all of the City's right, title, and interest, if any, in and to the publicly-owned property in the 3rd Ward of the City of Pittsburgh, being designated as Block 10-N, Lots 189, 190, 191 and 196, under the Residential Land Reserve Fund.

Which was read.

Also.

Bill No. 882

Resolution approving execution of a Disposition Contract by and between URA and Herman J. Heyl for the sale of Block 14-B Lot 313 in the 18th Ward of the City of Pittsburgh for \$400.00 plus costs-Industrial Land Reserve Fund.

Which was read.

Also, Bill No. 883 Resolution authorizing the URA to acquire all of the City's right, title, and interest, if any, in and to the publicly owned property in the 18th Ward of the City of Pittsburgh being designated as Block & Lot 14-B-313, under the Industrial Land Reserve Fund.

Which was read.

Also,

Bill No. 884

Resolution approving execution of a Disposition Contract by and between URA and Mastro Ice Company for the sale of Parcel 127-A (Part) in the 5th Ward of the City of Pittsburgh for \$3,000.00-Redevelopment Area No. 32 (Lot Expansion for Utility Use).

Which was read.

Also.

Bill No. 885

Resolution Approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Etta L. Cox for the sale of Parcels 184 and 185 (Block 22P Lots 256 and 257), in the 21st Ward of the City of Pittsburgh, in Redevelopment Area No. 27--1413-1411 Stedman Street--Council District No. 6 (rearyard).

Which was read.

Also,

Bill No. 886

Resolution accepting the dedication of a parcel of land in the 25th Ward of the City of Pittsburgh in Redevelopment Area No. 49 from the URA for public use as a parking lot for a police station, 814 Jacksonia Street-Council District No. 6.

Which was read.

Also,

Bill No. 918

Resolution providing for an Agreement(s) with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh at a cost not to exceed \$1,128,429.00, chargeable to and payable from the 1996 CDBG Program. (Funds are available from the 1996 Community Development Block Grant Program, "City Council").

Which was read.

Also.

Bill No. 919

Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 1996 CDBG Program; providing for the execution of grant contracts for the filing of other data providing for required assurance; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and

providing for the payment of expenses within categories.

Which was read.

Also,

Bill No. 920

Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the Performance of certain work in connection with the 1996-1997 Community Development Block Grant Program, and providing for the payment of the cost thereof. Cost not to exceed \$11,268,000.00). (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG).

Which was read.

Also,

Bill No. 925

Resolution amending the 1996 Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1996 Community Development Block Grant Program, so as to reprogram funds under the Department of Public Works. (SPONSORED BY MR. RICCIARDI).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor Mr. Cusick Mr. Ricciardi Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Ferlo (Pres't)

AYES 8

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

Committee on Public Safety Service, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Mr. Cohen.

MR. COHEN PRESENTED

Bill No. 947

Report of the Committee on Public Safety Services for July 31, 1996, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 878

Resolution providing for an Agreements with a consultant for professional services for the Mayor's Youth Initiative for Serious Offenders; at a cost not to exceed \$163,700.00, chargeable to Code Accounts 4-90-01-5000-96-553-96-90, and YCPC/MYI.

Which was read.

The Chair:

You have heard the reading and title of the bill, is there any discussion on the bill?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen	Mr. Ricciardi
Mr. Cusick	Mr. Udin
Mr. Hertzberg	Mr. Ferlo
Ms. McDonald	(Pres't)

The bill having received the legally required number of votes passed finally.

The Chair:

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Mr. O'Connor.

MR. O'CONNOR PRESENTED

Bill No. 948

Report of the Committee on Engineering and Construction for July 31, 1996, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 921

Resolution further amending Resolution 976, effective January 1, 1996, 1996 Capital Budget, as amended, entitled: "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by increasing Neighborhood Street Improvements by \$1,000.00.00 \$350,000.00 from \$1,350,000.00. (This amendment will provide the necessary funding for the Rehabilitation of Pioneer Avenue and from Brookline Boulevard to Southcrest Drive in the 19th Ward of the City of Pittsburgh). (Council District 4).

Which was read.

Also,

Bill No. 922

Resolution providing for a contract or contracts or use of existing Contracts for the Rehabilitation of Pioneer Avenue from Brookline Boulevard to Southcrest Drive in the 19th Ward of the City of Pittsburgh, Council District Number 4, including replacement of sidewalks, curbs, driveway entrances, regulatory signing, miscellaneous work by private utilities and all necessary work on private property; and provide for the payment of the cost thereof a cost not to exceed \$1,000,000.00, chargeable to and payable from Code Account 3-13-01-0148-96. (This is the first phase of a two (2) phase project. The second phase, to be bid next year, will consist of the replacement of the roadway proper along these same limits).

Which was read.

Also,

Bill No. 923

Resolution providing for a Right-of-Entry agreement with property owners within the limits of Phase II of the Fifth Avenue Reconstruction project for the purpose of constructing a concrete block bulkhead (wall); providing for a Reimbursement Agreement, when appropriate, property owners within the limits of Phase II of Fifth Avenue Reconstruction project for the purpose of repairing/reconstructing privately-owned structural sidewalk vault roofs; and providing for the deposit of the reimbursement of such costs. resolution is needed in order for the City to execute an agreement with individual property owners that will permit the City's Contractor to do work on private property).

Which was read.

Also.

Bill No. 924

Resolution providing for a Right-of-Entry agreement with property owners within the limits of Phase I of the Wood Street Reconstruction project for the purpose of constructing a concrete block bulkhead (wall); providing for a Reimbursement Agreement, when appropriate, property owners within the limits of Phase I of the Wood Street Reconstruction project for the purpose repairing/reconstructing privately-owned structural sidewalk vault roofs; and providing for the deposit of the reimbursement of such costs. (This resolution is needed in order for the City to execute an agreement with individual property owners that will permit the City's Contractor to do work on private property).

Which was read.

The Chair:

You have heard the reading and title of the bills, is there any discussion on the bills?

Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when their names are called; all opposed will vote "no". The Clerk will call the roll.

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Cohen Mr. O'Connor
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
(Pres't)

AYES 8

NOES none

The bills having received the legally required number of votes passed finally.

The Chair:

That concludes our Reports of Committees. We will not meet again until Tuesday, September 3rd at 2 PM which is our next legislative session. We will move quickly to schedule the public hearing as requested by Councilman Hertzberg and the Administration -- well, not the Administration but at least by Councilman Hertzberg and the majority in relation to the so-called sale of the Asphalt Plant.

Other matters?

MOTIONS AND RESOLUTIONS

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President.

An issue that you probably read about in the news media recently or even seen over the television is the issue of a public housing community within City Council District 2 known as Broadhead Manor and I just want to briefly give Council my involvement in this situation and I can only start by saying that this entire today and the entire situation since I've been on Council can be described as nothing but bazaar. It's the best term I

know of to describe what has gone on and what's going on until now with it, with Broadhead Manor.

What I first saw in Broadhead Manor was an exemplary program for Sixty-four units in resident business. Broadhead Manor were being renovated. have been renovated, 64 units that now we are told are going to be destroyed along with the rest of Broadhead Manor, were renovated in large part by residents of the community who at one time were on some form of public assistance were hired to do painting work, floor tiling work and landscaping work. And to my knowledge to this day, in the Housing Authority's history, that has never happened and apparently may never happen again. Scheduled for Broadhead Manor was what's called the MROP, M-R-O-P, Major Reconstruction of Obsolete Projects. It was scheduled to be completely renovated, all the units. We had \$22.9 million allocated to us by the federal government. We had another \$5 million comprehensive funds that could be used anywhere allocated to this project. A total of \$28 million was allocated to Broadhead Manor in 1994. The Housing Authority Executive Director did not like the MROP Program. He liked the HOPE 6 Program. The tenants wanted to stick with the MROP Program, their ultimate goal being ownership in a cooperative of the entire community which would have in the end resulted in the Housing Authority being out of that community with the tenants owning their community.

I've felt -- and giving my background in real estate, knowing

cooperative ownership and knowing the successes of the many cooperative communities in City Council District 2, I thought that the residents were behind a very feasible, good plan. A couple days ago — and the situation did not seem capable of resolving itself. The two sides just couldn't come to an agreement. I tried to intercede. I hadn't been called on in approximately six months and a couple days ago I received word that because of the bad conditions in Broadhead Manor, the lack of federal money, that the Housing was going to proceed to a goal of demolishing all the houses here.

It's as I said bazaar when the Housing Authority is critical of the conditions that the Housing Authority has caused to occur. The Housing Authority has been the one that has boarded up units as soon as someone leaves. The Housing Authority has been the one that's left the ones that are in bad condition in bad condition. They own it. They're the landlords. And posted around the community on Tuesday, and I pass this around to Members of Council to take a look at, beautiful posters to the residents telling them they can live anywhere in the country. In fact, there's a picture that I don't think we can mistake for being Crawford Square, where they could live there notwithstanding the fact that there's a waiting list 100 miles long for the housing that any of those residents could qualify for there. You'll see that in the picture.

To my understanding, from Council President Ferlo that in spite of the fact that published information says the Housing Authority is pursuing demolition, the Housing Authority Board never voted for demolition.

What I'm asking for today, Mr. President, is a public hearing -- cablecast public hearing on this issue as soon as possible and I know we've had discussions. You may not feel that you're any more than one voice on the Housing Authority Board but I would ask you, Mr. President, to use your best efforts to delay any vote on this until we can at least hold a public hearing and get the sentiment of City Council on this entire topic. So, the motion before Council is to have a cablecast public hearing.

Mr. Udin seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion on this issue? Councilman O'Connor -- excuse me, Councilman O'Connor, Mr. Udin; right.

Mr. O'Connor:

Without elaborating, I'd also like to know what happened to the \$33 million we got a couple years ago, the grant from the federal government for Aliquippa Terrace?

The Chair:

That's progressing and hopefully that's underway and there's broad-based participation from the residents, the tenant community and that's moving full steam ahead. I did want to clarify, and based on Mr. Hertzberg's comments, I am vice chairman and a board member of the Housing Authority. The last official act that I'm aware of that the Housing Authority Board took was basically to receive and applaud HUD's commitment of federal funds moving on the MROP to renovate and refurbish the housing community known as Broadhead Manor. That was a motion and the board action as of a couple months ago.

In this interim period, what was supposed to happen was a Memorandum of Understanding being worked out with the tenant council, leadership in the residents as it relates to planning and process and construction activities. employment opportunities, business opportunities and the like. Somehow, we from grand went that this pronouncement, from the land of oz. yesterday that the community's about to be bulldozed and everybody better get out of here. I don't know what went amuck somewhere in between. Now I will say this, to the extent that the Administration wants to have an open and frank and democratic discussion with the community about other options that are available whether it be the renovation of the existing community or potentially other options that might be available for adequate, safe and affordable housing. I certainly applaud that initiative if it involves the possibility of something radically different than what we know now as just renovating the units. That's really something I think that the community should have some input in. We should sit down rationally and talk about those issues.

Unfortunately, as is typical with the Mayor and Director Lowe, their usual M.O., their usual style is this is the way it's going to be, we're going to tell you what to do and unfortunately I think you see what happens when they go out in the community. They can play that kind of role down here on Grant Street with all the big shots but I would suggest to them that they be a little more fair and democratic and deliberate when it comes to residents that want an opportunity to have some say so in what's going to happen themselves and their families and unfortunately I think because of their ability or inability to communicate properly, Ĭ think unfortunately now we have everybody squared off in their respective corners and I think that's a very unfortunate scenario because I think all of us want a better housing opportunity for our residents in Broadhead Manor. I think we need to sit down together with these residents and plan out what the different options are that are available.

Secretary Cisneros, apparently when he came here, I think somewhat confused the situation because he kind of preempted I believe what might have been a directors report to the board for consideration and that is in the past HUD and the federal law did not allow the demolition instructures because basically there is this one for one replacement requirement. Apparently now Secretary Cisneros gave the green light and said. well if the Mayor wants to demolish Broadhead and relocate families through the Section 8 voucher program or some other opportunity that all of a sudden now HUD is saying that's in the ballpark and we can do that. Obviously, none of that should have been really pronounced as something that was going to be the final fate. It should have been something that the leadership of the Housing Authority, the Mayor and Director Lowe sat down with Councilman Hertzberg, with the community.

So, unfortunately, I think a lot of us are caught off guard and it was very disappointing and depressing to see the outcome of the interactions so fractious and disheartening to see everybody at each others throat, that's just not the way we need to progress. I hope this Council and Councilman Hertzberg can play the role of getting everybody back together again and let's do what's best for the residents but what's best for the residents has to involve their input and their leadership.

Councilman Udin.

Mr. Udin:

As a Councilman often in the same position that Councilman Cusick is in, as you know there is more public housing --

The Chair:

-- Councilman Hertzberg or Councilman Cusick?

Mr. Udin:

I mean, Councilman Hertzberg. Thank you. There's more public housing in my district than in any other district. And, the efforts to try to get the Administration and the Housing Authority leadership to understand the importance of community involvement in decisions like that, I just don't get it. I mean, it was jut not more than about a year ago in Aliquippa Terrace where a similar explosion took place because they pronounced that Aliquippa Terrace was going to be demolished without any adequate input from the residents and these pronouncements come from on high and I don't think that they really understand the impact that they have on families who rely on these housing communities for a place to live. It's just incredible.

There is a definite need. understand that the Housing Authority is a separate jurisdiction and municipality of sorts but given the breakout of Council Districts into districts, there needs to be greater collaboration and work with the Housing Authority staff along with the Council representatives from that district and when you holler and scream about it, it happen for a short time and then it disappears and you never know that it hit you again until an explosion occurs. To tell people that they're going to be able to live as this poster suggests in Downtown Pittsburgh with Section 8 vouchers or in Crawford Square with Section 8 vouchers, it borders on a characterization that I probably should withhold.

I was also handed by Councilman Cusick --

The Chair:

-- Councilman Hertzberg.

Mr. Udin:

Cusick.

The Chair:

Councilman Cusick, okay.

Mr. Hertzberg:

I gave it to Councilman Cusick, he handed it to him.

The Chair:

It's nice to see our colleagues corroborating.

Mr. Udin:

Apparently, this is a brochure that advertises the names of families that are eligible for Section 8.

Mr. Hertzberg:

That's right.

Mr. Udin:

Is that what this is?

Mr. Hertzberg:

Yes, it is.

Mr. Udin:

Is this publicly distributed?

Mr. Hertzberg:

Well, it was distributed to each dwelling in Broadhead Manor, as I understand it.

Mr. Udin:

That's pretty public.

The Cusick:

So, the eligibility is --

Mr. Udin:

-- Mr. President, I would just encourage you --

The Chair:

-- that's a new one for me --

Mr. Udin:

-- as a member of the Board of Directors of the Housing Authority to please on behalf of this Councilman, at least, see what can be done to assure adequate community input and collaboration and honest information about Section 8. Who knows how long Section 8 is going to last with the republicans in congress cutting back every kind of housing and social program that they can get their hands on? They're going to tear down the whole community, give them Section 8 vouchers and then what happens when the community is torn down and then Section 8 vouchers are

eliminated or cut back and they have no where else to go. Where are they going to go and live? It's ridiculous.

The Chair:

Councilman Cusick.

Mr. Cusick:

I was real appalled by the poster myself. It showed that the Housing Authority doesn't take care of certain places. In one of the photos it shows garbage being thrown around in front of what I took as Broadhead Manor and it shows that some places are taken care of and that the property of Crawford Square is beautifully landscaped. It just shows the Housing Authority in bad taste. Also, the other brochure is actually people that are eligible to get Section 8 vouchers. Their names are being publicly given away for anybody to scrutinize.

The Chair:

The thing that perplexes me on that is the HUD and the Housing Authority for years including countless times in this Council has shrouded any discussion about Section 8, not only families but even locations and addresses. I'm completely dumbfounded.

Mr. Cusick:

My hope's that Broadhead Manor's tenant organization would file some sort of action against the Housing Authority in regards to this whole thing because the way it's being handled is totally disrespectful and irresponsible.

Mr. Udin:

Why don't you lead a march, Alan. We'll march with you.

The Chair:

We don't have far to march, about 30 feet down the hallway but I would suggest to the residents and the tenant council leadership, you can come and protest down here in Council all you want. I don't know if that's going to help you in any event. We will move quickly to have a public hearing. Unfortunately, on a practical level, we're probably not going to have that for a couple of weeks so I would ask that the residents please direct concerns immediately Administration and to the Director of the Housing Authority and to the board. But, again, I want to clarify at least as a board member the last thing I'm aware of by way of a legal resolution of the board was that we were excited about the receipt of the MROP funds, that we were in the process negotiating a Memorandum of Understanding with the residents regarding -- and I believe we had to ask Councilman Hertzberg to be involved in that process because there were some communication gap problems with Director Lowe and the tenant council leadership and I think I was as dumbfounded as anybody else about this poster and about what I saw on a television station three nights ago so I have to plead ignorance to some extent but I will try to get more involved in this so in light of the situation, I just hope that somehow we bring things back to a round table discussion with the residents and the leadership about how do we together make the best safest most affordable decent housing and if there are other options that we can look at, I'm sure the residents themselves would like to look at those options. But, this slickster move -- I mean, I don't know if they hired Catch 'Em Advertising with this poster, I don't know where this came from but I'm completely dumbfounded and somewhat embarrassed that the Mayor would go out of his way to put in print, not even Xerox. but multicolored, tri-fold, slick looking poster, the actual names of individuals that are within the community and are benefiting from some form of public assisted housing. I've been around the City a long time. This is actually a new twist. I've never seen anything like this.

Mr. O'Connor:

Just my two cents worth. If you look at this picture and it is deplorable conditions, it is tough living there but who's job is it to cut the grass and to pick up the trash? I mean, that's there job and they're advertising and as you've said people have been born there, lived there for longer than they should but to pick up the paper and -- just imagine any of us being told your home is going to be demolished. I don't care where your home is whether it's here or on Main Street, on Fifth Avenue. I think that's a tragedy and scary as heck for anybody so I hope they resolve that and I trust you President Ferlo to take a strong leadership in this role.

The Chair:

Obviously, we have a new and improved twist to the old phrase, "what we have here is failure to communicate". Obviously, the Administration is really just dumbfounded that this legislative body --however sincere their intentions might be in wanting to form a corroboration with the residents and the tenant council leadership, I would suggest that this poster and what has transpired over the last two days has really set us back. It's very disappointing and I think we need -- if there's no objection, on behalf of all of our colleagues with Councilman Hertzberg's assistance, I think we need to draft a letter that this Council can send out to the community and kind of restate what Councilman Hertzberg and others have expressed here today.

Councilwoman McDonald.

Ms. McDonald:

Without reiterating what has been said -- I'm just at a loss for words but I'll tell you this, I am very pleased that Councilman Hertzberg brought Council's attention simply from a P.R. aspect. You know, it really grated on me to once again see an "out of control meeting" where people are characterized oh, they're just terribly out of control, they had to haul one woman off and what have you. They'd have to haul me off if I had to have this kind of poster and a breach of confidentiality of people who are eligible for Section 8. I think this is an absolute travesty. This is insanity at its best. In fact, this is insanity at its finest on the 5th Floor, so congratulations on that. This is not good business sense either, is it now? We were criticized. I don't think this is good business sense folks but I just want to congratulate Councilman Hertzberg for bringing this so that at least the media — it is now publicly known this is what the residents had to deal with. Maybe this is a little justification when you heard all the insanity, why you had a ruckus, why people reacted so strongly. It just puts it all in perspective and I just want to thank him for bringing that to our attention.

The Chair:

Thank you. Any other discussion?

I just want to say in response to the -- I usually rely and can expect the Post-Gazette to engage in its usual scurrility and nonsensical declamation but this morning's article actually had a prop and that was the Mayor himself. I think attacking not only me but I think probably Council as a body and maybe individually other colleagues.

I just want to clarify I'm always available for comment. I've never found an opportunity where I was not able to respond to questions. I don't know if Mr. Bull had a hard time reaching me vesterday or this was just another prop that the Post-Gazette's engaged in. But, in any event, let me just clarify to His Honor, the I not only was privately but Mayor. publicly an extreme and vocal supporter of not only the Lazarus deal but the ALCOA proposal on the T.I.F. I think I was consistent and made very clear my support for that proposal, thanking Administration, thanked the Mayor, himself. I don't know where he got off on a tangent and in any way suggesting that I was not supportive, I was very supportive. I find it just unbelievable, self-righteous piety on the part of the Mayor which to me is about as phony as a three dollar bill for him to attack the recent Amusement Arcade legislation as somehow as being a pro-gambling bill. This is a gentleman who himself is a proponent of riverboat gambling which profits only a couple of fat cats which will affect working people and others who will not only gamble and possibly win big but we all know they will lose big and for someone to stand up on their high horse and talk about so-called video poker machines when he is a proponent of something that will be much more hurtful to many working families in this city -- I can respect the no-dice coalition and those within the religious or those at the grassroots level legitimately have an objection to gambling but I find it absolutely incredulous that the Mayor with his self-righteous piety would lecture me or the taverns and the restaurants as it relations to so-called video poker machines.

The Amusement Arcade Bill is not a video poker machine bill. In fact, most of the machines that will be added to the taverns and restaurants most likely will be a billiard table, a dart board or other types of machinery. So, I just want to respond to that very quickly and to attack this Council with a near unanimous support, this resolution passed a few days ago where Council called to task the State Legislature and the Mayor, his backdoor deal to provide a special exception on the special collection of the Business Privilege Tax for so-called broker-dealers. That was

clearly special interest for those in this city that have the best ability to pay. This Council made it clear that we are indeed favor a reduction of the Business Privilege Tax. We believe that it needs done, any changes to the Business Privilege Tax, of which several were suggested, need to be done uniformly, universally and be done not at the detrimental impact to the City's budget which now faces a 40 to \$60 million deficit.

So, again, in response to the article this morning I did want to try to set the record more clearly, not that I expect the Post-Gazette to report anything accurately.

Any other discussion? Motion to adjourn.

Mr. Cohen:

So moved.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Have a nice summer.

This legislative session stands adjourned.

And on the motion of MR. COHEN

Council adjourned.

Sandra L. Washington Stenotype Reporter

NOTE TO ALL COUNCIL:

PLEASE BE ADVISED THAT THIS TRANSCRIPT DOES NOT INCLUDE COMMENTS.

ADDENDUM

- Councilman Udin, Hertzberg, Cohen and O'Connor's -comments -on Bill No. 857 can be found in the Standing Committees Meeting minutes of July 31, 1996.
- 2. Councilman Hertzberg comments -on Bill No 821 and 822 can be found in the Standing Committees Meeting minutes of July 31, 1996.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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September 3, 1996

No.33

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO......Deputy City
Clerk

Pittsburgh, PA Tuesday, September 3, 1996

PRESENT:

Mr. Hertzberg Ms. McDonald Mr. O'Connor Mr. Onorato Mr. Ricciardi Mr. Udin

Mr. Ferlo

(Pres't)

ABSENT:

Mr. Cohen Mr. Cusick

The Chair:

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have a young student here this morning, this afternoon, excuse me, Michael Pope. Michael is in the 6th grade at the Most Holy Named School of Troy Hill. He's in Councilman Onorato's District. His dad is here, Bill Pope and his Aunt is here, Kathy Pope and Michael is going to lead us in the Pledge of Allegiance.

Michael Pope:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Michael. Thanks very much for coming down here today and it being a school day. I want to thank your dad and your aunt for also accompanying you. Thank you very much. Thanks for leading us in the Pledge of Allegiance and our City Clerk would like to present you with the flag of our City and the flag of our Nation. Thank you.

We have somewhat of a brief session today, as there will be no bills to be voted on for final action. No formal Reports of Committees, but moying to Introduction and Presentation of Papers, beginning with Councilman Cohen, Mr. Hertzberg for Mr. Cohen, Committee on Public Safety Services.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you councilman Hertzberg.

MR. HERTZBERG MESSENGER FOR MR. COHEN PRESENTS:

No. 953 Resolution authorizing the transfer of One Hundred Sixty-Five Thousand Dollars (\$165,000.00) from the Emergency Medical Services Reimbursed Trust Fund (EMSRETF), Index Code 251819, to the Emergency Medical Services Trust Fund (EMSTF), Index Code 271785, for reimbursement of special event wages paid from EMSTF.

Also,

No. 954 Resolution authorizing the transfer of Two Hundred Thousand Dollars (\$200,000.00) from Code Account 1421-4 EMS Trust Fund Transfer, Index Code 142141, to Emergency Medical Services Trust Fund (EMSTF), Index Code 271785, for wages for EMS paramedics, crew chiefs and supervisors.

Also,

No. 955 Resolution providing for a Contract or Contracts or Agreement or Agreements; or the use of existing Contracts or Agreements for the purchase of emergency medical billing computer software, Bureau of Emergency Medical Services, Department of Public Safety, and providing for the payment thereof, cost

not to exceed \$10,000.00, chargeable to and payable from Code Account 1423, Equipment.

The Chair:

Mr. Hertzberg for Mr. Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

COUNCILMAN HERTZBERG MESSENGER FOR COUNCILMAN CUSICK PRESENTS:

No. 956 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not to exceed \$800,000.00, and shall be chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings, and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

COUNCILMAN HERTZBERG PRESENTS:

No. 957 Resolution providing for a lease agreement with the Pittsburgh Children's Museum for use of certain property (parking lot only) located at the rear of the Buhl Planetarium Facility for a nominal fee of One Dollar (\$1.00) per year.

The Chair:

Councilwoman McDonald,
Committee on Housing, Economic
Development, and Promotion.

Ms. McDonald:

No new papers Mr. President.

The Chair:

Thank you Councilwoman. Mr. O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No new papers Mr. President.

The Chair:

Thank you Mr. O'Connor. Councilman Onorato, Committee on Planning, Zoning, and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTS:

No. 958 Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 6 by changing: From "R3" Multiple-Family Residence District to "C1" Neighborhood Retail District all that certain property bounded by: Claim Street; the Northeasterly and Easterly Property Boundary of Lot No. 313, Block 47-S in the Allegheny County Lot and Block System; the Northerly Zoning District Boundary Line of the "C1" District North of Lowrie Street and East of Claim Street, 24th Ward, City of Pittsburgh. (SPONSORED BY MR. ONORATO)

MR. ONORATO moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Also.

No. 959 - Resolution providing for an agreement or agreements with a consultant or consultants to conduct parking studies to determine if selected Pittsburgh residential neighborhoods meet the impacting criteria as specified in the Residential parking Permit Program Ordinance, chapter 594.04, in order to qualify for designation

The Chair:

Councilman Ricciardi, Committee on Public Works, Water, and Environmental Services.

Mr. Ricciardi:

No new papers Mr. President.

The Chair:

Thank you Mr. Ricciardi. Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTS:

No. 960 Ordinance supplementing the Pittsburgh Code, Title Two - Fiscal, Article I - Administration, Chapter 209 - Violations. Fines, Interest and Penalties.

No. 961 Ordinance supplementing the Pittsburgh Code, Title Two - Fiscal, Article IX - Property Taxes. Chapter 263 - Real Property tax and Exemption.

No. 962 Resolution providing for a warrant in favor of Walter and Haverfield, Attorneys at Law, in the amount of \$1.971.00 in payment for professional services rendered to the Disparity Study and Implementation Commission, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies

and Equipment, City Council. (SPONSORED BY MR. UDIN)

No. 963 Resolution providing for a warrant in favor of Jacqueline L. Knaff in the amount of \$897.00 in payment for stenographer services provided to the Disparity Study and Implementation Commission, chargeable to and payable from Code Account 1001-1, Misc. Services, Supplies and Equipment, City Council. (SPONSORED BY MR. UDIN)

No. 964 Resolution Resolution providing for a warrant in favor of Adl Partners in the amount of \$6,062.50 in payment for reprint of the Mayor's Development Report, chargeable to and payable from the Economic Development Marketing line item, Code Account 156.

No. 965 Resolution providing for the issuance of a \$931.00 warrant in favor of Henry Vincent in settlement of claim for sidewalk damage as a result of City tree roots, chargeable and payable from Code Account 46, Judgments.

No. 966 Resolution Providing for the issuance of a \$4,200.00 warrant in favor of Pamela Washington in settlement of claim for an accident involving a City vehicle, chargeable and payable from Code Account 46, Judgments.

No. 967 Resolution providing for the issuance of a warrant in the sum of \$25,000 to Patricia A. Geyer, c/o Kathleen K. Spurgeon, Esquire, P.O.Box 110040, Pittsburgh, PA 15232-0040, in full and final settlement of the action filed at c.a. 92-1389 alleging false arrest and personal injury at point state park on or about January

15, 1990, chargeable and payable from Code Account 46, Judgments.

No. 968 Resolution providing for the issuance of a \$1,570.00 warrant in favor of Stuart Friedlander in settlement of claim for sidewalk damage as a result of City tree roots, chargeable and payable from Code Account 46, Judgments.

No. 969 Resolution providing for an agreement or agreements for Stenographic reporting services in connection with Public Hearings and providing for the payment of the cost thereof, not to exceed \$4,000.00, chargeable to and payable from Code Account 1035, Misc. Services, Commission on Human Relations.

No. 970 Resolution authorizing a purchase agreement or agreements with National Tax Funding, L.P. for the assignment, transfer, sale and conveyance of claims filed with respect to certain delinquent City real estate taxes and delinquent sewage charges. The amount shall not be less than \$16,000.00.

No. 971 Resolution authorizing a servicing agreement or agreements with Capital Asset Research Corp. Ltd. for the servicing of claims filed with respect to certain delinquent City real estate taxes and delinquent sewage charges.

No. 972 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 973 Resolution providing for the filing of a petition or petitions for the

sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 974 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

MR. FERLO PRESENTS:

No. 975 Resolution providing for a warrant in favor of Lexis-Nexis in the amount of \$1,251.15 in payment for computer user research services for City Council for the month of June, 1996, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, City Council. (SPONSORED BY MR. JIM FERLO)

Also,

No. 976 A communication from Paul Hennigan, Director of Finance, submitting a report of deposits and market value of securities pledged as collateral by City Depositories as of March 31, 1996.

Also,

No. 977 A communication from Paul Hennigan, Director of Finance, submitting a report of deposits and market value of securities pledged as collateral by City Depositories as of May 31, 1996.

The Chair:

We need a motion to receive and file in the latter two reports.

MR. UDIN motioned to receive and file.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Going back to Proclamations, I believe Councilman Udin has a number to be read into the record, I see no guests in the audience. Councilman Udin.

No. 949 WHEREAS, On Saturday, August 3, 1996, The Uptown residents and the Uptown Community Action Group recognizes Mrs. Rita Leyn for her outstanding commitment to the community.

WHEREAS, After realizing that the community was in need of representation, Rita and others founded the Uptown Community Action Group; and,

WHEREAS, The Uptown Community Action Group is a grassroots community organization whose mission is to protect and preserve the health, welfare and safety of it's residents, businesses and institutions; and,

WHEREAS, Rita Leyn served as the president of the Uptown Community Action Group from it's conception until 1995; and

WHEREAS, Through Rita's leadership the community has achieved many goals. They have held seminars, demonstrated against increased crime and loitering, held political candidate forums,

worked to close down a liquor store, and offered many social and recreational activities in the community.

NOW, THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF PITTSBURGH, along with the Uptown residents, thanks Rita Leyn for her dedication, excellence and tireless effort in working to make her community a great place to live, work and play.

Also,

No. 950 WHEREAS The Pittsburgh Chapter of the Gospel Music Workshop of America Inc. is hosting their 29th Annual Gospel Music Workshop from August 8th through August 16th, 1996, and

WHEREAS, Over 10,000 gospel music enthusiasts have come to the City of Pittsburgh to experience and fellowship with the largest independent international music convention in the world, and

WHEREAS, Reverend James Cleveland founded the Gospel Music Workshop of America, Inc. Reverend Albert L. Jamison is the present Chairman of the Board, and Dr. Robert M. Simmons is the Dean of the Academic Division, and

WHEREAS, The Academic Division of the Gospel Music Workshop of America has the primary responsibility for educational and curriculum development, and

WHEREAS, Their purpose and goal is to perpetuate, promote, and advance the Christian ideas through the medium of music, to impact the music literature, and to provide a curriculum in both the African-American and Euro-American music.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends and congratulates the Gospel Music Workshop of America, Inc. and the Academic Division on their extraordinary musical and educational achievements

Also.

No. 951 WHEREAS, Joseph Scales has been a lifelong resident of the Uptown area and has amicably touched the lives of thousands; and,

WHEREAS, Joe, as he is known to his friends, neighbors and family, has always been involved in politics and community service. He was the former 1st Ward Democratic Ward Chairperson and presently serves as an elected State Constable; and.

WHEREAS, Joe has served on the Mercy Hospital Board of Directors and spends countless hours working with the Italian Heritage Society; and,

WHEREAS, Joe has been actively involved in the Uptown Community Action Group since its conception in 1991, and serves as the organization's Treasurer.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Joe Scales for his contributions to the Uptown Community.

Also.

No. 952 WHEREAS, The St. Paul African Methodist Episcopal Church is celebrating their 150th year of ministry and service in the Beltzhoover area, and

WHEREAS, St. Paul African Methodist Episcopal Church was organized in 1846 on the Southside of Pittsburgh, Pennsylvania, and

WHEREAS, This church symbolizes a strong heritage of generations of parishioners, and some of the seven original members are still current members of the Church, and

WHEREAS, Reverend Wilfred J. Messiah's ministry has revitalized the church with a clear vision of serving and meeting the needs of the community, and

WHEREAS, St. Paul African Methodist Episcopal Church has contributed to the community through their G.E.D. program, after school tutoring program, the computer classes, and always extending a helping hand to the families and individuals in need throughout the community and the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Pittsburgh recognizes and commends the St. Paul African Methodist Episcopal Church for their commitment to the community and extends congratulations on the occasion of their 150th Anniversary.

MR. O'CONNOR moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Moving to Unfinished Business or Reports of Special Committees, is there any matters to be brought before the body? If not, there are no Reports of Committees, we have no final action on any bills today. We will take up a number of bills tomorrow and we'll pretty much resume a full schedule next week. Under Motions and Resolutions, any matter to be brought before the body? Councilman Udin and then Mr. O'Connor.

Mr. Udin:

Yes, assuming this appropriate time Mr. President, but I want to remind my colleagues that according to a custom that was initiated by Councilman O'Connor, quarterly reviews of the fiscal health of the City, have been conducted in a televised post agenda session. I'd like to as Chair of the Finance Committee. certainly invite Councilman O'Connor and all members of Council to work together with me to formulate as well as working with the Budget Director and the Mayor's Office to structure and formulate such a post agenda, a televised post agenda session to review the state of the City budget for the first half of 1996 as of June 30th and also kind of review some of the proposals that have come forward and that are under review currently by the Competitive Pittsburgh Task Force, which I am a member, just to update Council and the public as to where we are and what we might anticipate in the coming months in terms of the City budget. My suggested date is the afternoon of September 19th, but, if that does not work with President's schedule, obviously we can adjust the date. But, that is a motion for televised post agenda.

The Chair:

Very good.

MR. FERLO seconded the motion. Which motion prevailed.

The Chair:

Thank you very much. I would ask that the Controller's Office be invited also to that meeting in addition to the Administration.

Other discussion? Councilman O'Connor.

Mr. O'Connor:

I just want to follow up on a memo I sent all Council members concerning asphalt paving on the East End. I received on August 2nd, a memo from the Mayor that they were going to eliminate \$500,000.00 out of the budget for paving of the streets. I sent all Council Members a follow up, a request from Ralph Krewschesky, knowing where this money was going to go and for what reason this money was going to be cut out of our paving program. I'm glad the report, since our lobbying effort, they are restoring the money, most of these trees were going to be in the East End, but Valerie, Mr. Ferlo, Mr. Cohen, and most of them in my District were going to be eliminated. They've assured me that it will be put back on the agenda for this fall.

The other thing, while we're on it, this is a busy week with the asphalt plant. I know we have a tour on Council and a hearing on Friday and I'd like everyone to make sure, I think this is a very important decision on Council. I for one think it's a mistake to sell this plant just for some of

the reason I just saw, our costs are much cheaper than the, actually the County or any private people. I'm very skeptical of the numbers. I've been trying to get Council to okay it almost two years ago, a \$60,000.00 per activity based costs analysts. I understand that it's still not complete. I don't know how we could go into the notions of closing plants, cutting back on City workers and City services without at least knowing what the actual numbers are. So, I want to basically warn Council to be on the alert for that. And, while I've been looking into the matter, I looked at the Pittsburgh Economy League, I did a study on it, the Asphalt Plant, I just wanted to quote to remind you of this when these hearings and plants are coming The City entered into the asphalt production business in the early '80's. There were 2 primary reasons that promined this to build an asphalt plant. First, the industry was widely believed to be in collusion, effectively neutralizing the market prices regulating asphalt. So, this is a major reason we got into the business and the second reason was, the City trucks, when they went to the public sector, were waiting in line and much to slowly to service our City streets. They were the 2 My main reason for main reasons. objecting, I don't think it's cost effective, and the other is, I don't want to be sitting here 2, 3 years ago if this would happen and what's to hold these people who a couple years ago were fixing prices not to do it again. So, I think I wanted to bring that up so you have that in mind while we visited the plant and I understand, I think Councilman Friday morning at Hertzberg's request, we will have a public hearing on it.

The Chair:

Thank you very much, other discussion? Councilman Ricciardi.

Mr. Ricciardi:

Just on the asphalt plant, I'd be known to the Director of Public Works, Mr. O'Connor is correct that the Mayor's Office was going to eliminate \$500,000.00 of capital money from the paving program. That is that non-CD neighborhoods would take a hit up where it's to 50% of streets being paved, less streets. So. Mr. O'Connor is correct. Let me also state for the Administration, that could not have been done, moving those dollars could not happen without coming to Pittsburgh City Council for the transfer. So, it appears that the Administration, number 1, yes they could have paved less roads, but they could not have moved those dollars before coming before this body.

Regarding the sale of the asphalt Councilman Hertzberg plant. requested a tour of the facility. I did schedule one with the help of Linda Johnson-Wasler and I thank her for that work. Hopefully, we will be in attendance as a body. I believe on Thursday at 10:00 am. I've stated that the tour would not last more than 60 minutes, 1 hour, so, hopefully everyone will be in attendance. Mr. O'Connor has raised some very good points, there's a lot of numbers that have been thrown around. I've asked Director Krewschesky to make sure that he is at the table with Mr. Miller so he could get the proper discussion and we could hopefully frame the discussion in light of Mayor Murphy's request or decision to sell the asphalt plant.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. My understanding is there is also a briefing to be scheduled sometime soon. Does this tour take the place of the briefing essentially? Either Councilman or...

Mr. Ricciardi:

No, I didn't want it to, because I thought the briefing should be unto itself. I thought maybe the tour would be just a facility. Some of us have not been there, nor did we meet the people on sight and get a feel for where it's at. Plus, because if they separate, I apologize, if there is a separation of the plant, that is the mechanics of the plant from the property, we need to know why the Mayor's Office wants to keep the property and what benefit that would have to the City. And, the only way to better understand it or fully understand it would probably be an on sight visit.

Mr. Cohen:

I agree, and thank you for scheduling that, I think that's important. Has the briefing also been scheduled?

Mr. Ricciardi:

Not to date, unless it asked Mr. Hertzberg.

Mr. Hertzberg:

The briefing has been scheduled. There will be 2 briefings so as to not violate the sunshine act. There will be 2 briefings, I think one is at 10:00 tomorrow

morning and one is at 10:300 tomorrow morning.

Mr. Cohen:

That was my question was that still on?

Mr. Hertzberg:

It is.

Mr. Cohen:

Thank you.

The Chair:

Needless to say, I don't need any briefing to decide something that's to me a ridiculous issue. Rumors of any benefit associated with selling the asphalt plant have been greatly exaggerated to say the least. In any event, we have a public hearing. I don't know why we're having all these separate briefings, except for the politics of the issue.

Mr. Ricciardi:

...the briefings, but I thought the tour was valuable Mr. President.

The Chair:

No, I think the tour is definitely valuable as well as the public hearing. And, just to clarify Mr. Ricciardi's point on the asphalt, I think clearly we have, as is typical with this Administration, a quick retaliation when Council took some of the unused asphalt paving money to support City source with additional lot cleaning. At that point, the Deputy Mayor retaliated with the notion that we're just going to undercut the asphalt paving and hopefully

that's been straightened out and their pettiness has been removed. Mr. Onorato.

Mr. Onorato:

I just wanted to add my concerns about the whole issue of the asphalt plant. As we approach 20-30 million dollar deficit, depending on what year you are looking at and whose numbers your looking at, either way, they're big numbers. That, if we're going to look at Departments, it has to make economic sense. I'm not convinced that this makes economic sense. If you looked at the numbers, and even if you looked at the extremes, because the numbers in the dispute book could possibly be saved in the asphalt. Both sets of numbers are really insignificant to that budget deficit number. It's not going to make or break or save the City, that plant. Yet, you have to look at, what's the threat if you do do it. And that is to fall right back to where we were in the early eighties and to not have the ability to tell the private sector, well, we could do it ourselves at this cost. As long as we have that plant with the threat of that plant in operation, it gives us leverage with the private sector and that it will be a stop or a protection against collusion or cooperation among the private vendors to get together with the one price. And, that has to be evaluated in the cost of reviewing a sale of a plant. convinced at this point that it makes economic sense to do that. So, through hearings. briefings. through public whatever it takes, we have to really look at these numbers and I think that that's coming to light now based on the size of the deficit that as we review the proposals from the Administration, we just don't accept their proposal, we review each one item by item. Some will be good proposals, some might not make economic sense and this is one in particular that I want to definitely review because I'm not convinced at this point.

The Chair:

Well, I don't want to undercut the public debate and discussion on this, but, personally, I think it's a side skirmish that we should just table and avoid. I think there are major substantive issues regarding the '97 budget, not only the operating budget, but the capital budget. Given some of the planning and ideas being kicked around by the Mayor and his Administration. I really think we should get to the heart of some of those major debates. I mean some of those are very provocative, very controversial, suggest some major changes in the nature of the services. Whether or not we will actually be delivering certain services and I just think this whole asphalt, given the 200,000 that's involved is side skirmished unnecessary, and I don't think the numbers add up in terms of the benefit. I really think we should table the bill and really focus in with the budget summit meeting we are going to be having and all the other substantive issues that are on the table, at least a little bit on the table, leak through the table to some extent. I think some of those issues are major issues that I think we need to start talking about now. I don't think it could wait necessarily to the Mayor's November budget address and than, you know, a month long debate during the holiday season. I think we got to, if it's rug cutting time, I really think we should zero in on some of the substantive systemic changes that the Mayor is talking about and really focus our creative engergies and focus in on that. I think the asphalt is a, I'm opposed to the sale of the asphalt plant and I think we should really prioritize what we need to be focusing in on over the next month especially. Mr. O'Connor.

Mr. O'Connor:

Well, basically, that's why I brought it up. I think, as you said, we're going to spend a whole week now on asphalt that may or may not save. The more you look at the figures, there may not be any savings at all and the threat of the price skyrocketing in a couple of years and the threat that we went through just last month that our streets weren't going to be paved is enough to table the bill all together and get to the root of the real cost saving things that we should be looking at. So, I hope the Administration takes your advice.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Just as a courtesy, if maybe by the end of the week if my colleagues would let me know if they are attending the meeting or not, the tour, because if people are not attending the tour, I'm not going to schedule the tour. Time is valuable, so if there is not at least 3 or 4 or 5 individuals that will be scheduling the tour. People have made up their mind already on the asphalt plant, that's your decision. But, please let me know before hand, if or if not you will be attending the tour. Thank you.

The Chair:

Personally, I have been to the plant several times, I personally do not desire to tour the plant.

Mr. O'Connor:

I still plan on attending the tour because I think it's very important to the City. But, like Mr. Ferlo said, I think we ought to really be looking at the cost saving issues and not window dressing or some side deals that may be made and now we have the threat of what's going to happen in the future, even if it was a couple dollar savings, which I question even if it is. So, possibly if our new Budget Director looks at it real close, maybe he will come to that decision in the next day or so.

The Chair:

Any other discussion? Just to remind everybody on this meeting schedule, we have a number of public hearings scheduled this Thursday, December 5th at 2:00 pm at Chambers. We have a cable cast public hearing, this is regarding the Broadhead Manor situation. I don't know what's progressed since our last discussion, maybe not much other than a lot of frustration on the part of the residents. But, in any event, that public hearing is Thursday, September 5th, regarding the proposed demolition of Broadhead Manor. Friday, September 6th at 10:00 am, cable cast meeting regarding the sale of the asphalt plant. Thursday, September 19th in the evening at 6:00 will be the final community public hearing at the Knoxville Middle School regarding the proposal on the creation of the Civilian Police Review Board. Friday, September 20, 1996 at 10:00 am in Chambers, a petition, this is regarding the benches in Friendship Park, another great burning issue. Thursday, September 26th, a cable cast hearing regarding public

discussion of the construction, the new baseball only stadium, including the cost, location and economic development priorities and if any resident would like to speak at any of those public hearings. please call the City Clerk at 255-2138. I hope that we can try to get a broad based group of individuals to come to that September 26th public hearing. Not only proponents of the need for baseball only stadium, but, I would like to ask Senator Wagner to attend and to discuss some of the issues regarding the prioritization of the Convention Center expansion. I would like to also see the Governor's Task Force Representative on this issue of the financing and some of the ideas I assume that they will be presenting in the next few weeks

Any other discussion or any other matter to be brought before the body? Councilman Onorato.

Mr. Onorato:

Just one comment on a positive note. Since we were in recess for the last three weeks, I just want to applaud the effort of the City Police Force, the US Attorney's Office, and the District Attorney's Office for that massive sting in Brighton Heights on the North Side that rounded up 57 possibly 63 individuals. If you read the articles in the paper, I thought the post gazette did a great article on the five part of 3 part series that detailed what happened and what led up to it. It pointed out and it made it very clear that drug activity is not a problem in any one particular neighborhood in the City, it's everywhere and that we have to attack it from all ends. I was proud of the work they did. I'm glad they were in that neighborhood and I hope they continue to do all the neighborhoods in the City, because, it is there, it's been a major problem and before that went public, I could tell you we had about 15 properties targeted in my office that we were dealing with that were problem properties and we suspected that they were drug activities, because the tenants were paying the rents easily and there was big time problems in there and a lot of the individuals that we were targeting were on that list and I think it sends a strong signal to the criminal element, especially the drug element that the City is not going to tolerate it. And, I know we've been critical at times of the US Attorney's Office and some time the DA's Office, but this is one time I think we can say that they were working together for the betterment of the City and targeting the resources here and I do applaud them and I thank them.

The Chair:

Thank you. Councilman Ricciardi, Mr. Udin, on this issue or a different issue?

Mr. Ricciardi:

No, a different issue.

The Chair:

Mr. Udin, a different issue? Mr. Ricciardi.

Mr. Ricciardi:

Just continuing on a positive note, I really want to congratulate all the City Departments that are involved in the Pittsburgh Clean Sweep Neighborhood Program. This past week, Carrick was a big, big success, spearheaded by BBI and

the Department of Public Works. Unfortunately there was a little lack of communication where the staging area for the dumping was going to occur. Besides that, it really came real, real big. I'm looking forward to the next neighborhood which is in Beltzhoover, also located in my District. Thank you.

The Chair:

Thank you, Councilman Udin.

Mr. Udin:

Continuing on the positive notes started by colleagues Onorato Ricciardi, I also want to congratulate the Administration and Chief McNeilly for the announcement of the firing of 5 officers on the Police Force. I think it, at minimum, it recognizes that there are problems on the force as has been stated, quite eloquently by many of the public hearings. Also, it acknowledges a need for an obvious intention on the part of Chief McNeilly to get tougher on disciplinary problems in order to improve in professionalize even greater our Police Department and I think it also is evidence of a need for a Civilian Review Board in order to provide a message by which such circumstances can be presented before they get as egregious as the events that led to the firing of the officers. Thank you.

The Chair:

Thank you Councilman. Other discussion or any other matter to be brought before the body. Hearing none, we'll entertain a motion to adjourn.

Mr. Udin:

So moved.

The Chair:

Thank you, this legislative session stands adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R.MASCIO......Deputy City
Clerk

Pittsburgh, PA Tuesday, September 10, 1996

PRESENT:

Mr. O'Connor Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Cohen
(Chair)

ABSENT:

Mr. Ferlo (Pres't)

The Chair:

Council President Ferlo has Jury Duty this morning this morning, so he has asked me to chair this meeting. We begin with the Pledge of Allegiance and followed by a moment of silent prayer for peace throughout the world.

We're very happy to have this morning, a James DeFillipo, who is 9 years old. James, please come up here. He is a student at Saint Mary of the Mount School and he is accompanied here by his mother, Mary DeFillipo and also his Grandmother, Patricia Scanlon and of course he is in Councilman Hertzberg's District. So, James, if you could lead us in the Pledge of Allegiance please.

James DeFillipo:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you James, we have a flag of the City of Pittsburgh and a flag of the United States of America for you. Thank you for coming here this morning.

We move to Resolutions, Read and Adopted Resolutions and we begin this morning with Councilman Alan Hertzberg.

Mr. Hertzberg:

Thank you Mr. Chairman, if Brian Boyd could come forward. Is he here this morning, Mr. Boyd? Assistant Chief McCally is here I believe and I thought

Mr. Boyd was coming in this morning. This relates to an incident that occured in the Elliot neighborhood in the City of Pittsburgh where a young man acted in a heroic fashion and saved some lives, injuries, with a fire.

MR. HERTZBERG PRESENTS:

No. 978 WHEREAS, on Sunday, July 7, 1996, Brian Boyd was visiting friends in his Elliott neighborhood, located in the 20th Ward of the City of Pittsburgh; and

WHEREAS, Brian and his friends saw flames coming from a second floor room in a house across the street; and

WHEREAS, since the hour was very early in the morning, Brian thought that residents of the house were probably sleeping and were not aware of the danger; and

WHEREAS, while his friends called 911. Brian went and pounded on the door and aroused two of the occupants who promptly left the building; and

WHEREAS, Brian, knowing that another family was still inside, giving no thought to his own safety, went in the burning house. up the smoked filled stairs, searched in the black smoke for the door to the other apartment, and succeeded in waking the occupants and getting them out.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby pay tribute to Brian Boyd for his quick thinking, courage, and unselfish act that saved four lives, and we thank him for his

outstanding contribution to the community.

MR. ONORATO moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

I know Mr. Boyd attends school and that may be where he is. Is there anything you wanted to say Chief McCally?

Mr. Hertzberg:

Thank you.

The Chair:

Thank you Mr. Hertzberg.

Mr. Cusick, do you have one to be read into the record?

Mr. Cusick:

That's correct Mr. President.

The Chair:

Do you want to wait until next week? Okay. Thank you.

Councilman O'Connor, I believe you have one to be read into the record and two others, one of whom we are waiting on.

Mr. O'Connor:

Dr. Gerald Lloyd and the members of his congregation please come

up. What did you think your were down here for? Thank all of you for coming down today and making this a special day. And, Dr. Lloyd didn't know why he was here.

MR. O'CONNOR PRESENTS:

No. 979 WHEREAS, Dr. Gerald Loyd, Founder and Pastor of the Greater Pittsburgh Fountain of Life Church, was consecrated to the Office of Bishop and elected to the Board of Bishops of the World Won for Christ Ministries International, on Sunday, July 7, 1996 in Inglewood, California; and,

WHEREAS, Dr. Gerald Loyd is a native of Pittsburgh and has, over the years, served in numerous leadership capacities on the local, state, national and international levels. Dr. Loyd has founded, co-founded and inspired men of God to establish churches in Central and Western Pennsylvania; and,

WHEREAS, Dr. Gerald Loyd is the President of GGL Ministries and the founder and Executive Director of Pittsburgh Community Helps, Inc. Dr. Loyd also holds a Bachelor of Arts degree from Duquesne University, a Master of Science degree in Industrial Psychology from Pennsylvania State University and a Master of Theology and a Doctorate of Theology from Trinity Theological Seminary. In addition to these achievements, Dr. Loyd has several literary works to his credit which include, Preachers are People Too!, From Egypt to Canaan and Planting and Growing a Church: and.

WHEREAS, Dr. Loyd will be honored during special appreciation

services and a banquet to be held Thursday, September 12, 1996, through Sunday, September 15, 1996.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends Dr. Gerald Loyd on this and all of his accomplishments; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of September 12 -15, 1996, to be "Bishop Gerald Loyd, Th.D. Week" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Congratulations. Thank you very much.

Alan Bennett:

We have brought with us one of our Pasture Virginia Rawlings, another Pasture Shelly Oaks, our church secretary Gwendolyn Flowers, Sr. Diane Hopson, who is our little bit of a worship leader and also Sr. Linda Lepowitz, who is another church secretary and I am Alan Bennett of Senior Associate, Pasture of Greater Pittsburgh Fountain of Life and we also brought another gentleman, one of our elders, elder James Edwell who has come to be with us today and we thank you for this day. Thank you.

Mr. O'Connor:

Your welcome.

The Chair:

Thank you.

Gerald Lloyd:

I would like to thank the Councilmen and to all that are here. I appreciate the investment of this honor and this confidence, we're doing the best that we can. Just believing the Lord to be able to make a difference in our community. Thank you.

The Chair:

Thank you very much. Congratulations. Councilman, I believe you have another proclamation and then we hope that Michael Keaton will be coming in this morning. We don't know whether he is going to be walking in or flying in but he'll supposedly be here as Batman.

MR. O'CONNOR PRESENTS:

No. 980 WHEREAS, diversity and choice in news coverage and editorial opinion well serve the citizens of the City of Pittsburgh; and,

WHEREAS, the Pittsburgh Tribune-Review was created to provide such a responsible choice to citizens of our city and our region; and,

WHEREAS, the newspaper's circulation has seen huge growth in recent years, growth that has caused the publisher, Richard Scaife, to invest \$43 Million in a new production facility to

meet current and anticipated growth, along with creating hundreds of new jobs.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate the Pittsburgh Tribune-Review on its expansion and wishes the Pittsburgh Tribune-Review continued success on this and all of its future endeavors; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 10, 1996, as "Pittsburgh Tribune-Review Day" in the City of Pittsburgh.

The Chair:

This could be a close vote.

MR. HERTZBERG motioned to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Councilman Onorato, I believe you have a resolution this morning.

Mr. Onorato:

I do, into the record.

MR. ONORATO PRESENTS:

No. 981 WHEREAS, Troy Hill Citizens, Inc. was formed in May, 1971 to protect the community rights and individual property and civil rights of its residents; and

WHEREAS, from 1971 until 1992, Troy Hill Citizens, Inc. was completely run by volunteers. In January, 1992, with the help of a grant, the first part-time paid staff was hired; and

WHEREAS, during the past 25 years, Troy Hill Citizens, Inc. started a maintained community park volunteers, printed a newsletter, began the Annual Troy Hill Citizens, Inc. Day in the Park, helped with Alte Haus (Housing for the Elderly), established Saving the Firehouse, worked on the rehabilitation and development of homes for low to moderate income buyers, been a resource as a job listing program, has kept an open line of communication with public officials and other community organizations and has dealt with residents concerns on a daily basis; and

WHEREAS, a 1971 newsletter from the Troy Hill Citizens, Inc. monthly release stated "We are a young organization. How old we get to be and how firm and proud we walk is up to you because we are you". 25 years later, the Troy Hill Citizens, Inc. have earned the commitment and support of the community and hope to take that commitment into the 21st century.

NOW. THEREFORE,BE IT RESOLVED that the Council of the City of Pittsburgh, hereby congratulates the Troy Hill Citizens, Inc. on its 25th year of existence and for all its achievements.

FURTHER BE IT RESOLVED, that the Council commends all those involved in making the Troy Hill Citizens, Inc. 17th Annual Day in the Park a success!

MR. O'CONNOR moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

At this time I would like to ask our honoree, Richard Goodall if he could please come forward. Richard will be accompanied by his wife Bernice of 34 years. His son Richard Jr. is also a City employee for our Department of Public Works. Dear friend Ray Myers, Ray could also come forward. Thank you, and in the audience we have Fran Alcamando and Carol Anthony who is also here to share this day.

We have a retirement today colleagues, from a very outstanding individual who has done much, not just for the business community of the Knoxville area, but also Mt. Oliver, but who has really contributed so many hundreds if not thousands of hours to the community work and we would like to thank Richard for all that work.

MR. RICCIARDI PRESENTS:

No. 982 WHEREAS, Richard W. Goodall, Sr. graduated from St. Canice High School, served his country in the United States Navy, and has been an active member of the Knoxville community for over 57 years; and,

WHEREAS, Richard W. Goodall, Sr. owned and operated the Triangle Cafe in Knoxville for 32 years; and,

WHEREAS, Richard W. Goodall, Sr. has served as President of the Hilltop Lions Club, is an active participant of the Carrick Band Boosters, and has sponsored and participated in Little League, Softball, Bowling and Dart Teams; and,

WHEREAS, Richard W. Goodall, Sr. has also volunteered for both Boy and Girl Scouts as a Merit Badge Instructor and has been recognized numerous times for his contributions to the community; and,

WHEREAS, Richard W. Goodall, Sr. has the loving support of his wife of 34 years, Bernice; his three children, Richard, Jr., Anne and Julie; and his seven grandchildren, Bryan, Matthew, Kelsey, Sara, Sam, Zachary and Jason.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby congratulates Richard W. Goodall, Sr. on his retirement and wishes him well in any future endeavors.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares Tuesday, September 10, 1996 "Richard W. Goodall, Sr. Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Ricciardi:

Colleagues, I'm going to ask Mr. Goodall to come forward and accept this, but, let me just say that we're very pleased here today and very happy in the neighborhood because Richard had a very good business in the Knoxville area, but he just gave so much back to the community in terms of his generous contributions and more importantly in terms of his generous time that he offered so many community groups to make the Knoxville area and the Mt. Oliver Burrough such a much better place to live, shop and recreate. And, on that Richard, congratulations on vour retirement, have fun, and hopefully you'll have more time to spend with your wife Bernice of 34 years. Congratulations.

Richard Goodall:

I just want to thank the Council and thank you Mr. Ricciardi.

The Chair:

Congratulations.

Bernice Goodall:

I just want to say thank you and I'm proud to be a Pittsburgh citizen, thank you.

Mr. Ricciardi:

Ray Myers reminded me, he's not only just a dear friend, but Bernice is his daughter. But, when I was saying dear friend, I thought, to me dear friend. Thank you very much for coming down here today, I really appreciate it.

The Chair:

Congratulations for all your work for the City of Pittsburgh. Thank you very much.

I believe that's the end of the Read and Adopted's. We'll interupt the proceedings if Michael Keaton arrives this morning. We now move to Presentation of Papers, we begin with Public Safety Services, Mr. Cusick for Mr. Cohen please.

Mr. Cusick:

Mr. President.

The Chair:

Thank you.

PRESENTATIONS

MR. CUSICK MESSENGER FOR MR. COHEN PRESENTED:

No. 984 Resolution providing for the issuance of a warrant in favor of AT&T Global Information Systems in the amount of Twelve Thousand Fifty-Two Dollars and Ninety Cents (\$12,052.90) in payment for emergency repairs to the computer aided dispatch system at the Emergency Operations Center, Bureau of Administration, Department of Public Safety.

The Chair:

Move to Mr. Cusick, Chair of Parks, Recreation, and Youth Policy.

Mr. Cusick:

Mr. President.

MR. CUSICK PRESENTED:

No. 985 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of Bon Air Parklet Basketball Court to Marc Kolenda Court. (SPONSORED BY MR. CUSICK)

The Chair:

Councilman Hertzberg, Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. Chairman.

MR. HERTZBERG PRESENTED:

No. 986 Resolution authorizing the Director of the Department of General Services, on behalf of the City of Pittsburgh, to conduct the sale of various pieces of production equipment, accessories and cables that are no longer utilized by the Bureau of Cable Communications, to the Pittsburgh Filmmakers, a non-profit corporation, for a nominal fee of One (\$1.00) Dollar

The Chair:

Councilwoman McDonald, Chair of Housing, Economic Development and Promotion.

Ms. McDonald:

Mr. President.

MS. MCDONALD PRESENTED:

No. 987 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in the City of Pittsburgh (Council District No. 1): (PRESENTED BY MS. MCDONALD AND MR. HERTZBERG)

The Chair:

Councilman O'Connor, Engineering and Construction.

Mr. O'Connor:

No papers Mr. President.

The Chair:

Thank you Mr. O'Connor. Councilman Onorato, Planning, Zoning, and Land Use.

Mr. Onorato:

No papers Mr. Cohen.

The Chair:

Thank you Mr. Onorato. Councilman Ricciardi, Public Works, Water, and Environmental Services.

Mr. Ricciardi:

Mr. Cohen.

MR. ONORATO MESSENGER FOR MR. RICCIARDI PRESENTED:

No. 988 Resolution authorizing the issuance of a warrant in favor of

Playcare, Inc. in an amount not to exceed one thousand five hundred three dollars and seventeen cents (\$1,503.17) in payment for consultation services for the Department of Public Works and providing for payment thereof.

Also,

No. 989 Resolution providing for an agreement or agreements with the YMCA of Pittsburgh in an amount not to exceed sixtv thousand (\$60,000.00) for reimbursement of expenses for materials and services in the renovation of the play area at Cliffside Parklet and Marshall-California Parklet. for the benefit of the City of Pittsburgh pavable code from account 4-01-40-0054-96-515-96-01. Index Code 618264, play area safety improvements, Department of Public Works.

No. 990 Resolutuion granting unto Irene Pavlik, 3200 Mary Street, Pittsburgh, Pennsylvania 15203, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, an off street parking area on a portion of the right-of-way on Mary Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

No. 991 Resolution granting unto PMC Development Corp., 5808 Forbes Avenue, Pittsburgh, Pennsylvania 15217, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area at 5808 Forbes Avenue in the 14th Ward, 5th Council District of the City of Pittsburgh.

No. 992 Resolution granting unto Harry Gable, 139 South 17th Street, Pittsburgh, Pennsylvania 15203, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, a fire escape on a portion of the right-of-way on Jane Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

No. 993 Resolution vacating a portion of Giller Street between Brook Street and Minooka Street in the 29th Ward, 3rd Council District of the City of Pittsburgh.

The Chair:

Councilman Udin, Finance and Budget.

Mr. Udin:

Mr. President.

MR. UDIN PRESENTED:

No. 994 Resolution providing for the issuance of a \$1,159.18 warrant in favor of Bell Atlantic in settlement of claim for an accident involving a City vehicle.

No. 995 Resolution providing for the issuance for a \$1,136.00 warrant in favor of Robert E. Boehme in settlement of claim for sidewalk damage due to City tree roots.

No. 996 Resolution providing for the issuance of a \$3,000.00 warrant in favor of Richard E. Whitehead in settlement of claim for an accident involving a City Police vehicle.

No. 997 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

No. 998 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

The Chair:

The Chair presents.

THE CHAIR PRESENTS:

Bill 999 Communication from Tom Flaherty, City Controller, submitting the performance audit, Department of Public Safety, Office of Professional Standards, for August 1996.

Bill 1000 Communication from Linda M. Johnson-Wasler, City Clerk, submitting the first and second quarter travel reports of 1996 from various city departments.

Bill 1001 Communication from Paul Hennigan, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of April 30. 1996.

MR. HERTZBERG motioned to receive and file.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

That completes the Presentation of Papers, we move to Unfinished Business. Is there any Unfinished Business or Reports from Adhoc Committees to be brought before Council this morning. Hearing none, we move to Reports of Committee and we begin with Finance and Budget, Councilman Udin. Are there any Reports of Committee this morning? Mr. Udin:

Yes, no new papers Mr. President.

The Chair:

Thank you Mr. Udin. Mr. Ricciardi, Public Works, Water and Environmental Services.

Mr. Ricciardi:

No new papers.

The Chair:

Thank you Mr. Ricciardi. Moving to Mr. Onorato, Planning, Zoning, and Land Use and I believe that these are the only two bills that are to be voted on this morning.

Mr. Onorato:

Mr. Cohen.

The Chair:

Thank you Mr. Onorato.

REPORTS OF COMMITTEES

MR. ONORATO PRESENTED:

Bill No. 888

Report of Committee on Planning, Zoning, and Land Use for September 4, 1996 transmitting sundry resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Resolution authorizing and directing the Mayor to enter into an Agreement or Agreements with social service agencies, professional service consultants, vendors or contractors, and providing for administrative/staff costs related to the implementation of the "Enterprise Community Grant Program", at a cost not to exceed \$2,947,368.00.—(AS AMENDED)

Bill No. 889

Resolution authorizing and directing the City Controller to create a trust fund, to be designated the Enterprise Community Grant Program Trust Fund (ECGPTF) for the deposit of monies from the Pennsylvania Department of Public Welfare or other sources and authorizing the use of the monies deposited into said trust fund to support the implementation of the approved Federal Enterprise Community Plan including; but not limited to: Community Internet Access (professional services, hardware acquisition, operating expenses); SPEDD Entrepreneurial Program (professional services re: small business development); Family Support Centers (operating costs for centers re: health care, violence prevention, job training); Coordinated Child Care network (start up costs for childcare system); After School/youth violence prevention; Ezone Coordination (professional services, equipment, office expenses 5 years).—(AS AMENDED)

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cusick

Mr. Hertzberg

Ms. McDonald

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Cohen

NOES:

AYES: 7 NOES: none

The Chair:

The bills having received the legally required number of votes are passed finally and those are the only bills that are up for a vote this morning because of a short Committee Session last week. We, of course, will have a longer agenda when our Committee Session resumes tomorrow. That is the end of the Reports of Committee. Thursday, thank you, thank you Councilman Hertzberg. That's because I believe the United Way Day of Caring where most if not all of us

will be participating in that day of caring so, the meeting is on Thursday, not tomorrow, thanks for reminding me. We move now to Motions and Resolutions. Are there any Motions and Resolutions to be brought before the body. Mr. Onorato.

Mr. Onorato:

Mr. Cohen if you could wait two minutes, I will go get Mr. O'Connor, I think his special guest is here is what I was told, so I will tell him.

The Chair:

Thank you very much. Does anybody else have Motions and Resolutions until Mr. Keaton, until Batman arrives? Well, let's just see if he's out there.

Mr. Ricciardi:

Mr. Chair?

The Chair:

Yes Mr. Ricciardi.

Mr. Ricciardi:

I'd like to move for a 5 minute recess. I think it will give Mr. O'Connor time to talk.

The Chair:

Good idea Mr. Ricciardi. All those in favor signal by saying aye. This meeting is recessed for 5 minutes.

Council's recess meeting now resumes. We're honored to have with us this morning, a great actor, a native of Pittsburgh, Michael Keaton. Mr. O'Connor, will you do the honors please?

Mr. O'Connor:

Sorry for the delay, I'd like to thank everyone for waiting. Will Mr. Michael Keaton please come up?

Mr. Keaton:

Thank you very much.

Mr. O'Connor:

Well Michael, you did something I've been trying to do but never made it up there yet. We are very honored to have Michael here and actually, my assistant Barbie came up with the idea just a day or two ago and I thought I will never be able to get him with his time schedule and within a few minutes or a few hours, they worked it all up and we're very proud and honored to have you here and I'll read this resolution to you.

MR. O'CONNOR PRESENTS:

No. 983 WHEREAS, Michael Keaton was born as Michael Douglas on September 9, 1951, in Coraopolis, Pennsylvania; graduating from Montour High School in McKees Rocks in 1969, he went on to study Speech at Kent State University; and,

WHEREAS, Michael began acting and writing comedy material during his college career, he also worked for WQED-TV as a production assistant and Heinz Hall as a stage hand, performed in regional theater and became a member of the improv troupe, Jerry

Vale, honing the comedic talent we have come to love and enjoy before leaving for California in 1975; and,

WHEREAS, Michael made his film debut in 1982 as a manic morgue attendant in "Night Shift" after writing and appearing in "All's Fair"(1977), "Working Stiffs"(1979), and "Report to Murphy"(1982) for television; since then, he has appeared in such impressive work as "Clean and Sober", "Beetlejuice", "My Life", "Batman", and "Much Ado About Nothing", to name but a few; and,

WHEREAS, throughout his career, Michael Keaton has heralded the attributes of the Greater Pittsburgh area, acting as a superb ambassador and catalyst for location shooting in the city, most notably for the feature films "Gung Ho" (1986), and his most recent endeavor, "Desperate Measures".

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank and commend Michael Keaton for his tireless commitment and undoubted love and admiration for the City of Pittsburgh, and congratulates him on a phenomenal career that has only just begun; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 10, 1996, "Michael Keaton Day" in the City of Pittsburgh.

Mr. Keaton:

Thank you very much.

Mr. Cohen:

Mr. Keaton, before you begin, we have to form a little business here. Is there a motion to approve?

MS. MCDONALD moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevailed.

Mr. Keaton:

Do you really have to do that?

Mr. Cohen:

We really have to do that.

Mr. Keaton:

Wow, so it actually may have been voted down.

Mr. Cohen:

It's official.

Mr. Keaton:

If I'd have known that, I'd have been sweating it. Thank you, this is very nice. I'm not going to, I have to actually go to work, I apologize for not shaving, because I'm an unshaven man in this movie and so I didn't shave, not even for you guys. But, thanks for doing this, this is really a treat. I know that there were some notable actors who worked in the City before who I have been told didn't make the kindest remarks about the City, obviously, they had no taste and that generally comes from an insecurity. This has always been one of the greatest towns in America. I rank it up there with Paris

and I appreciate this, this is very sweet. I just called my kid to say good morning before he went to school and then I mentioned this and he wanted to know if every Tuesday, September 10th is going to be Michael Keaton Day from now on and I said yeah, as far as I'm concerned.

Mr. O'Connor:

We'll bring you back every year.

Mr. Keaton:

And, I'd like to also announce that you all can go home, there's no work today, all the City employees are laid off for the week, not laid off but just given the day off. No kids have to go to school. This is very sweet, thank you very much, I'm glad to be here.

Mr. O'Connor:

Yesterday was Michael's birthday and my son Corey and my staff bought him a present. Since he gave him a day off school today.

Mr. Keaton:

That's right, your up, do you want to say something?

Corey:

No.

Mr. Keaton:

That's what I should have said, no, I don't have anything to say. Actually, September 5th is my birthday. I'm not sure how this has gotten to be

September 9th, but I take it because then I could celebrate it on two days.

Mr. O'Connor:

Sorry, happy birthday.

Mr. Keaton:

All right, thank you very much.

Mr. Cohen:

Thank you very much.

Mr. Keaton:

Thanks a lot.

Mr. Cohen:

Best of luck to you. Is there a motion to adjourn the meeting? Second, this meeting is adjourned.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President LINDA M. JOHNSON-WASLER.....City Clerk JOHN R.MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, September 17, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Good morning everyone. Would you please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased a young student this morning. Her name is Casey Walsh, she's in the 5th grade, she's 10 years old, she's in Councilman Ricciardi's district, she's a student at Prince of Peace

School in the South Side and her mom and dad are here, John and Mae. Casey is going to lead us in the Pledge of Allegiance.

Casey Walsh:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one National, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you very much Casey. I appreciate you and your parents coming down here this morning. Our City Clerk would like to present you with a flag of our great Nation and a flag of our City. Thank you very much.

We have a number of guests in the audience this morning and a number of people to recognize. I'd like the prerogative as President Council to go first, especially because we have a number of public safety personnel and leaders here from the police, from the fire fighters and from the paramedics. We have some wonderful grade school students here today who participated in a very exciting essay project involving their appreciation and understanding of our own public safety personnel, what it's all about being a police officer or a fire fighter or a paramedic and the other wonderful people

that we have working for us, the men and women of the Public Safety Bureau.

This whole project was lead by an outstanding public citizen and his name is Earl Jones from the Hazelwood community from Councilman Bob O'Connor's district. I know Bob has worked long and hard with Earl in the other good projects that Earl has initiated. So, our hat is off to Earl. I'd like to ask Mr. Jones to come forward with the grade school students who are to receive a proclamation today. As well, we have a number of representatives from the police, the fire, and the paramedic bureau. If you could all come forward at this time, we'd appreciate it.

I did want to announce the arm wrestling contest. My good fire fighter friend, Mike Kelly, unfortunately for him it was a draw. It was a true and honest contest and we both did get a medal out of it.

I also want to recognize Mr. Bob Kristoff here who's going to stand with me. He's here representing all three of the Allegheny County Commissioners, Commissioner Larry Dunn, Bob Kramer, and Mike Dawaida. Bob Kristoff is the Administrative Assistant to the Commissioner and he's also here and has presented a similar proclamation to our great students that are here today in Council Chambers.

Okay, we need to get the students up here who wrote a essay or here to participate in this event. If you could please come forward. As well, I see Joe King from the Fire Fighters. We have our paramedic personnel, I think they're here for this. I see others, Assistant Chief

Kelly from the Police Bureau, Chief McNeilly is out of town today. Fire Fighter Kelly if you would like to come forward to show them all your enormous arms that we have had a draw in. And other folks, if you want to just kind of crowd around, we'll get you all up here.

I do want to say hello also to Marty Matakin who we all know here very well in Council Chambers and in the Community. Marty is the Assistant Administrator in the Register of Wills. We want to welcome Marty here this morning. Thank you very much Marty. You're welcome to come forward as a County official also and participate if you'd like. I do need to officially read the first proclamation and then I will turn it over to Earl to introduce some of the guests and he can fully explain the project.

This was a great essay project and we appreciate everybody's patience here this morning. I'd like to read the following resolution.

MR. FERLO PRESENTS:

No. 1002 WHEREAS, it is an honor and a privilege to acknowledge the school children in our city who participated in the Pittsburgh Public Safety Popularity Contest by writing an essay about their favorite Public Safety organization, and

WHEREAS, the students whose essays were chosen as the best from their schools were selected to appear, today, before the Council of the City of Pittsburgh to accept a small token of appreciation from the employees of the Public Safety Department, the City of Pittsburgh and the Chairman of the

Popularity Contest, Mr. Earl V. Jones, Sr., and

WHEREAS, Mr. Earl V. Jones, Sr. spearheaded this entire project by acquiring hundreds of stuffed animals, several trophies and numerous T-shirts to promote the Pittsburgh Public Safety Popularity Contest and Pittsburgh Public Safety Weeks in the City of Pittsburgh, and

WHEREAS, the students who are present today deserve special recognition for their support of the men and women of the Public Safety Department of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, September 17, 1996 as "Pittsburgh School Children Public Safety Day" in the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh commends all of the students who participated in the Popularity Contest for their efforts and their support of the Public Safety Department of the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. I'm not going to read it, but we have a very similar resolution. It's a little bit different, but I

think it's important to recognize a great outstanding community activist today and that is Mr. Earl Jones. We have a special proclamation for him also.

I won't read it, but it talks about what a great guy Earl is and, more importantly, what a great community person he is. I think it's evident by the tremendous support here today especially from the men and women that we have in the police, fire and paramedics as well as the student's experience. They really appreciate that Earl has gone above and beyond the call of duty. So, we wanted to give him also for the permanent public record a special recognition.

At this time, I want to turn it over to Earl.

Mr. Jones:

I believe it would be proper to ask this gentleman here from the County Commissioners, Larry Dunn, and the other Commissioners to read his proclamation and resolution.

The Chair:

That's a great idea. Bob, please come over here and we'll get your proclamation. We want to thank the Commissioners also for participating in this contest. And, they are here also to recognize these students. And, they have a proclamation and we'll ask Bob to read it.

Mr. Kramer:

Thank you. This is a Certificate of Achievement for all the children from the County Commissioners, from the Chairman, Larry Dunn, from Bob Kramer and also from Commissioner Mike Duwaita.

In recognition of your outstanding literary endeavor, describing how our most dedicated public safety personnel, police, fire fighters, paramedics and 911 staff have positively affected you or someone you know, your contribution reflecting remarkable zeal and imagination with deep and genuine emotion and creativity seeking to express your appreciation of these selfless public servants.

Your distinguished accomplishments has earned the esteem of a citizens of Allegheny County conferring honor upon the County to be shared by each of us during this Public Safety Appreciation Week in Allegheny County. Thank you.

The Chair:

Thank you very much.

Mr. Jones:

When we started out with this contest, I never realized these find people that are in charged and working in these departments. We had a contest downstairs where people voting in favor of the police, fire, paramedics and 911, there were 2,684 votes casts. Three people came by and said we don't like them. So, that tells you what a wonderful job these people are doing. We also are going to give out trophies today, first, second, third and forth place. They were very close when the contest happened and everyone of these people are winners so you can't judge it by first, second, third or forth. After awhile, the heads of all these departments decided. it was

necessarily the people that work in the department to get one of the first place trophies, but the people that recognize the job they were doing. So, all the people that voted, the 2,684 will get a first place trophy also.

I'll read these names out and these two gentlemen here are helping me.

Mr. Burke:

I'm Bill Burke and I'm Chairman of the Law Enforcement Officers

Mr. McDowsky:

My name is Ray McDowsky and I'm Chairman of the Adopt-a-Cop Program which is also part of a Law Enforcement Officers Memorial. I'm a retired Lieutenant from the City of Pittsburgh for 28 years.

Mr. Jones:

I'd also like to thank the teachers, the parents and the children for being here today because you're what this is all about. Someday, you'll be up here and some of our children will be down there.

The forth place goes to, 911. Do we have a representative from 911? Ray Demishanky.

The Chair:

We have a paramedic here, Tony, would you like to come up and say a few words on behalf of the paramedics and 911.

Tony:

We just want to thank Earl for involving us in this. Earl had a dream to help make the dreams of a lot of other kids come true and he's enlisted us in helping to make those dreams come true and we just couldn't be more thankful for the things that he's done for the community.

Mr. Jones:

Do we have a gentleman here from the Pittsburgh Tribune News or anyone from the Newspaper? They did a fantastic job. They are our supporters so we may have to hold theirs back. If there's noone here, we'll hold the trophies back.

United Steel Workers of America, is there a representative? Here's a young lady back here who will take that trophy.

Ms.

My name is Deborah	
I'm representing	
National, George Becker and Cop	
and members, we're very honored.	Thank
you very much.	

Mr. Jones:

Now, we'll go to another one here. We'll go to the third place which is the paramedics. Will they accept a third place trophy?

The Chair:

We have Chief DiPaolo here as well as Tony.

Mr. Form:

My name is Bob Form, I'm Assistant Chief of the City of Pittsburgh

Paramedics. On behalf of Chief Kennedy who couldn't be here today and all the Pittsburgh Paramedics, we'd like to thank you for this honor. Day in and day out, Pittsburgh Paramedics are always out there doing the best that we can within the City to save lives and take care of the children which we see here today. As well, we stand up and salute you, Mr. Jones, for all your efforts on a global nature on peace on earth around the world. Thank you very much.

Mr. Jones:

Do we have someone here from the Pittsburgh Post Gazette? Anybody representing Post Gazette here today?

The Pittsburgh Building Inspectors, third place. Do we have some from the Building Inspectors?

The Pittsburgh Pirates said they couldn't be here, but they asked me to give their trophies to two little people over here. This is Molly and Shawn Rufalow.

The Chair:

Accepting on behalf of the Pittsburgh Pirates.

Mr. Jones:

And, also, their father is an outstanding policeman and their grandfather. I asked Molly what she'd like to be when she grows up and she said a Pittsburgh Pirate. Valerie, would you be here manager. Would you like to know how old she is?

Ms. McDonald:

Yes, I would like to know that.

Mr. Jones:

She's 20 years old, so get on the job.

Ms. McDonald:

You look good girl.

Mr. Jones:

Now, we move into second place. Do we have someone here representing the Pittsburgh Police? Assistant Chief Kelly.

Mr. Kelly:

On behalf of Chief McNeilly and all the members of the Pittsburgh area police, we're happy to receive this trophy. I'd like to thank Earl Jones for all he's done for public safety and peace on earth.

Mr. Jones:

Now, we have one for National City Bank. Is there a banker in the house?

Me	
TATO.	•

I'm ______, on behalf of National City Bank, thanks a lot.

Mr. Jones:

National Bank has been a tremendous supporter of peace on earth in our neighborhood. Everything I get involved in, they've been behind me. Thank you.

Representing the Catholic Schools.

Mr. ____:

On behalf of all 107 Elementary Schools and 11 High Schools in and around the City, I'd like to thank you Earl for holding this contest and for all you children for participating in this wonderful cause, honoring all of these people involved. You're quite a safety to all our personnel, all the people in the City of Pittsburgh.

Mr. Jones:

I have to say that Dr. Ronald Doss and Dr. Raymond McClain, it wouldn't have been possible because they're really the spearheads behind this campaign. They stand in the background but they deserve to be up here instead of me.

Do we have anyone here from Star Cable?

Mr. Scantar:

My name is Stan Scantar and I'm the Director of Communications for Star Cable. On behalf of our President, Jim Mariady, I'd like to thank Earl for inviting us to participate. I'd like to thank all the kids that participated. Although we're a suburban company, most of us come to ball games, go to the zoo, and spend time in the City of Pittsburgh. We want to thank all of our public safety professionals for the job that they do to keep the City safe not only for the City residents but for visitors from local areas and beyond. Thank you.

Mr. Jones:

Now, the first place I'd like to introduce is really a good friend of mine, Joey King, the Fire Fighter's President.

Mr. King:

Thank you very much. First, I want to acknowledge and say to all the you and women here men today. congratulations on your participation and your award you're about to receive today. Here is the future of the City of Pittsburgh that lies right here. We as policemen, firemen and City paramedics, hold our profession to the highest esteem. In order for us to achieve that, there's one important component. Whether you're in the elementary level, the middle level, the school level, graduation education is the most important thing in your lives. To reach the level with the responsibility of anyone of our divisions and the dedication that we do to you each and everyday, you must succeed in education. I want to thank Earl Jones, City Council, and all the parents. Believe me, it's a great honor accepting this on behalf of all the men and women and I say men and women because a lot of you could be in the public safety organization in your futures. Thank you very much for this distinguished award.

Mr. Jones:

I'd also like to thank President Jim Ferlo and the Councilmembers for letting us have this ceremony here today and the staff of the Mayor because they gave me permission to hold it. Right now, I'd like to bring up Dr. Raymond McClain of the public schools to accept this trophy.

Mr. McClain:

Just between here and the office, if anybody asks me what this is for, I'll tell them I won a body building contest over the weekend. I just want to thank all the teachers, all the students, all the parents and everybody who worked so hard, principals included, in making this a reality. Your good citizenship doesn't end today, it goes on and on. Keep up the good work. Thank you very much.

Mr. Jones:

Mike Kelly are you here to accept this trophy for ______. We have tickets for all of your children to go to the ballgame. That will be on Thursday at 7:00 p.m. So, I hope you get the opportunity and Dr. McClain will give you those tickets.

Mr. Kelly:

I just want to thank the Council and Earl Jones and tell the kids congratulations. On behalf of the fire ______, I accept this trophy. Please around contract time, keep all the fire fighters.

The Chair:

I, especially, want to thank Fire Fighter Kelly for not breaking my right arm.

Mr. Jones:

What I would like to say is that in the lobby I brought over a 1,000 stuffed animals for the children in this room. My wife said if I came with one, I'm going to be up for adoption. So, when you all get down there, you will also receive these shirts. These shirts were brought for

different sponsors, the President of the United States, the Vice President and his wife, both wives, and their opposition. I also got anybody and everybody in politics that you know. So, if you go downstairs, you will receive this shirt, you'll receive both awards here as far as what the Jim Ferlo and the County Commissioner gives you. Please, by all means, load your arms with those stuffed animals because I really want to go back home. Thank you very much for your kindness.

The Chair:

Thank you Earl. I thought maybe a couple of the students could just talk a little bit about their essay.

Mr. Jones:

If they have the time, they can do it.

The Chair:

Hanna from Covatch, do you want to say a few words. Are you from the St. John Neuman? It's my district, so we'll let you say a few words here. We'll let you come up and also Hanna from Covatch. Maybe, just let them what you wrote and what kind of essay you wrote about. Did you write an essay? She wrote a good essay. I kind of put her on the spot, I'm sorry I didn't mean to do that.

The Chair:

Hanna, do you want to say a few words?

Hanna:

Yes. I wrote about all the fire fighters and the policeman and paramedics and I wanted to thank them for all the work they did and all the work they will do. If I could do anything to help people, I would.

The Chair:

I think that's a good thing to close out on.

Thank you so much.

Mr. Jones:

In closing, the one first place trophy they asked Jim Ferlo to put it somewhere where all the people who was involved in the contest could see it. This is going to be his choice and I want to thank everybody, all Councilmembers.

The Chair:

We'll put it right in Council Chambers here, we'll find a place.

Mr. Jones:

Thank you very much.

The Chair:

Thank you all. Thanks for your patience. We especially want to thank all the teachers and the principals that came down here today for their hard work. Also, for getting the kids back to school safely. Again, I want to thank all the parents also who came down here today and took time out of their schedule to be with the kids. We thank you very, very much. We hope everybody gets back to school and back home safely.

THE CHAIR PRESENTS:

No. 1003 WHEREAS, Earl V. Jones, Sr. has organized a Popularity Contest to garner support for the City of Pittsburgh's Public Safety Department, which consists of the Pittsburgh Police, Firefighters, Paramedics and 911 Operators, and

WHEREAS, the Pittsburgh Public Safety Popularity Contest was conducted in every school throughout the City of Pittsburgh and students were asked to write a 150 word essay explaining which organization was their favorite and why they chose that organization, and

WHEREAS, the Popularity Contest recognizes and pays tribute to all of the men and women who are employees of the Public Safety Department in the City of Pittsburgh, and

WHEREAS, these individuals perform numerous duties day in and day out to help make the City of Pittsburgh a healthier and safer place to live, and

WHEREAS, Earl V. Jones, Sr., the chairman of this event, has said that, "It is easy to climb to the top of a ladder, but you never feel safe unless someone is at the bottom to prevent you from falling," because the residents of the City of Pittsburgh need the support of the men and women of the Public Safety Department to provide them with a safer living environment.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare the two weeks from Monday, September 16, 1996,

to September 28, 1996, as "Pittsburgh Public Safety Weeks" in the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh commends every individual, especially Mr. Earl V. Jones, Sr., who has participated in and contributed to this worthwhile project.

MR. O'CONNOR moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Okay, we're going to move along. We have some other guests in the audience this morning. At this time, I would ask Councilwoman McDonald, I believe you have some guests or a proclamation to consider.

Ms. McDonald:

Mr. President, two to be read into the record.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

No. 1004 WHEREAS, on Sunday, September 15, 1996, the Pennsylvania State Shrine and Security Department will host their first joint conference at the Southern Platter Banquet Hall, and

WHEREAS, this years Banquet will honor Brother J.P. Black. Mr. Black has been actively involved with the Elks since 1951, as a member of the Unity Lodge #71 in Harrisburg, PA. Presently he is a member of greater Pittsburgh Lodge #115, where he has held the offices of Exalted Ruler, Leading Knight, and Chairman of the 1984 State Convention. He received his Past Grand Exalted Ruler Honors in 1989; and

WHEREAS, Mr. Black is the son of the late Rev. James T. an Carrie Black, born on Dec. 29th in North Versailles, PA, and a graduate of Westinghouse High School. He is married to Dt Levina Drake Black, a proud father of three daughters, one son, and a grandfather to five children, and

WHEREAS, Brother J.P. Black has served the country in the United States Army reaching the rank of Staff Sgt. until his Honorable Discharge in 1956. He served the community as Co-Pastor of the Divine Love Baptist Church from 1977 to 1990. Mr. Black has also contributed to the community as a sales representative of life insurance, an associate of the United States Postal Service, and a consultant in sales, and

through his WHEREAS, commitment to the community, Mr. Black has been highly recognized and greatly appreciated for his credibility, integrity, and remarkable sportsmanship. He has the Champions honored by Association of Pittsburgh as one of the Twenty Most Influential Black Men in Pittsburgh in the last ten years. Brother J.P. Black was the Elks Guest Speaker in Nassau, Bahamas under the leadership of Dr. Winston Churchill Rolle.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates and commends Brother J.P. Black for his accomplishments and invaluable support to the community.

MR. UDIN moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Also,

No. 1005 WHEREAS, during the week of October 8 through October 13, 1996, Mount Ararat Baptist Church will celebrate Ninety Years of service as the "Soul Saving Station" on the corner of Paulson Avenue and Mayflower Street, and

WHEREAS, Mount Ararat Baptist Church has provided a host of activities to the community through the non-profit Community Activity Center of Mount Ararat Baptist Church. Services which include a food pantry, a clothing bank, day care services, an after school program, and a senior citizen ministry, and

WHEREAS, Mount Ararat Baptist Church is a place of loving kindness and a church comprised of caring and generous Christians, and

WHEREAS, Mount Ararat Baptist Church will welcome ministers, family, friends, and special guest from across the United States to share in the celebration.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh

recognizes and commends Mount Ararat Baptist Church on their Ninety Year Anniversary.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares October 8 through October 13, 1996 as "Mount Ararat Baptist Church Week" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. Councilman O'Connor, I believe has a couple to be -- I believe we have some guests in the audience and we going to get Councilman O'Connor up here very shortly.

Mr. O'Connor:

Thank you Mr. Ferlo. Will the Champions Association, we have C.S. Keys and Bill Neil.

The Chair:

To our other guests, thank you for your patience this morning with the school children

Mr. O'Connor:

We're very fortunate to have Mr. Keys here and Bill Neil, we go way back from our days in Oakland. He's really been working very hard. The Champions Association is a great organization. It does

a lot for the youth of Pittsburgh. We just finished the Connie Hawkins Summer Basketball League. We just had a big tournament. The Willie Stargell MVP awards banquet. Dwayne Darkens Senior Citizens Thanksgiving Dinner will be coming up. And, the Champions Association is very involved with Toys for Tots. I've known Bill for probably 15 or 20 years and I'm very proud to have him here in Council. And, Mr. Keys is well known to all of us. I'll just read this proclamation and we're going to honor him September 22nd at the reception at the Station Square.

MR. O'CONNOR PRESENTS:

No. 1006 WHEREAS, The Champions Association, Inc., established in 1974, has served the City of Pittsburgh for twenty-one years, helping people to help themselves through practice and friendly competition, and

WHEREAS, The philosophy of the Champions Association, Inc. is that "Champions are not born, they are made," through desire, determination and dedication, and

WHEREAS, The Champions Association is honoring WPXI-TV11 Weather Anchor, C.S. Keys for meeting the Association's mission and philosophy, as demonstrated in his extensive work within the Pittsburgh community at the Sheraton Station Square on September 22, 1996, and

WHEREAS, an indication of C.S. Keys' commitment to the city includes many personal appearances as a motivational speaker at area high schools and the offer of his services for area

organizations to promote their respective causes. Since arriving in Pittsburgh, C.S. Keys has appeared and presented for a number of groups, organizations and schools, including Abraxas Pittsburgh School, Head Start and the Carnegie Science Center's Teen Esteem Seminar, and

WHEREAS, C.S. Keys has also received the recognition of area organizations and groups, including Service Awards from the Martin Luther King Cultural Center and the Singles Ministry.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend C.S. Keys for his continued community work in the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Sunday, September 22, 1996, "C.S. Keys Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Bill do you want to come up and present that first and say a few words?

Mr. Neil:

I'd like to take this opportunity to thank Councilman O'Connor and all of City Council, Council President Jim Ferlo,

for having us here once again. As you know, the Champions Association has been involved for over 20 years in trying to make a difference in this community. As I've come before you many times in the past to salute some of our more accomplished athletes, it is my honor to be here this morning to recognize an accomplished professional outside of the athletics rank especially as it relates to young black males in the City of Pittsburgh. We are constantly striving to find those athletic role models to make a difference. In C.S. Keys, we have found a professional man outside of that rank to make a difference. I've had an opportunity to look at his list of places to be and I assure you from now until January 1st, there's not a day vacant where he's not making a presentation somewhere on behalf of young people and, more specifically, you black males in the City of Pittsburgh.

It is our privilege as an organization that believes very strongly in community involvement to recognize C.S. Keys not only for what he has done here in the City of Pittsburgh, but throughout most of his professional life. If you track what he's done over the last 10 years, he's been very much involved in youth and social service activities. And, it didn't just start when he got to Pittsburgh. But, needless to say, here he has made a major, major impact.

I also want it to be known that we salute C.S. Keys for his comeback. We think it's unprecedented in that an individual in the media could leave one position and reemerge in the same market at the same position in another location. It certainly is unprecedented here in the City of Pittsburgh in that regard and, probably,

nationally. We applaud Channel 11, WPXI, for having the courage to support this man for his talent and not for innuendoes. On behalf of the Champions Association, our Board of Directors, and our Executive Staff, we hereby salute and recognize C.S. Keys and we present on Sunday, September 22nd at the Sheraton Hotel, Station Square, at 6:00 p.m., Keys to the City. Thank you.

Mr. Keys:

Good morning. First, let me thank Councilman Bob O'Connor, the entire City Council, I appreciate it, to Bill Neil and the entire Champions Association, from the bottom of my heart, I say thank you very much.

When the idea came to me about the Keys to the City, to salute itself. I was a little bit apprehensive because being the humble child my mom taught me to be, I didn't know exactly how to take that. But, then, I took it in a sense that I was glad that an organization that represented so much and success of so many young people and wanted the success of so many young people to represent or to salute me. It's very flattering. In the same sense, it's very humbling, too. As I said many times, what the Good Man gave you today, He can easily take it away tomorrow. I've been there and done that. But, as it stands right now, I appreciate wholeheartedly what the Champions is aiming to do on Sunday, the 22nd. I never thought in all my wildest dreams that the day would be named after me. I always thought my special day was my birthday because I shared it with my grandmother. But, now she might have to take a back seat to this. I'm not sure. Then, again, this might have to take a back seat to her.

I would like for this day to represent on thing. Not just honoring one individual. meaning myself. hopefully, a day to represent other people who give of their time to try and help out young people or whoever the case may be because in my opinion success basically is not a measurement of what you get, but a measurement of what you give. All I'm trying to do is make myself very, very successful by helping other people get what they want out of life. If one of us could just simply take time out to take enough time to talk to somebody, one person, that trend will continue on. We will be a much better place and much better people. Thank you very much.

Mr. O'Connor:

I know Pittsburgh is much better with you, two champions.

The Chair:

Thank you all and congratulations Mr. Keys. Councilman do you have one to be read into the record or do we have some guests here?

Mr. O'Connor:

Will the people from Council Care please come up? Lynn, Mary and Linda.

We're here on behalf of Council Care and I'll let you explain what functions you all play. It's very close to my heart what you do and this is cosponsored by all Councilmembers as was Mr. Key's Resolution.

MR. O'CONNOR PRESENTS:

No. 1007 WHEREAS, there are over 3,000 Adult Day Care Centers nationwide serving the needs of impaired adults, both young and old. Adult Day Care Centers provide a safe and positive environment for these individuals and support for their family care givers, and

WHEREAS, there are over 30 licensed Adult Day Care Centers in the Greater Pittsburgh area serving the needs of hundreds of Pittsburgh residents, and

WHEREAS, Adult Day Care Centers offer necessary health maintenance, social programs and, recreational activities in a warm and loving setting, and

WHEREAS, Adult Day Care Centers provide the helping hand to family care givers who would otherwise be forced to give care on a 24 hour basis or have their loved ones institutionalized, and

WHEREAS, Adult Day Care Centers are holding a "Sports Spectacular" in Allentown. Pennsylvania, celebrating of the successful services Adult Day Care Centers offer.

NOW. THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend all Adult Day Care Program providers for their efforts and, extends its deep appreciation to all of those individuals, institutions. and agencies which make Adult Day Care programs possible.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim September 17th through September 23rd, 1995 as "NATIONAL ADULT DAY CARE

CENTER WEEK" in the City of Pittsburgh.

MR. UDIN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. O'Connor:

I know without the Day Care Centers, I know my uncle goes to Riverview and I'm sure everyone knows it's 24 hour a day and it certainly gives relief to the families that instead of their loved ones staving in the house all day, they're able to get out. They have wonderful programs. I've seen sports activities, sing songs, dance, and have lunch. Without you, they would be sitting at home just watching TV or something. It's an outstanding program, the Adult Day Care Centers, and I, personally, want to thank you for all you do for the City of Pittsburgh and all our citizens. Who wants to go first, Vintage?

Ms. Malinsky

My name is Mary Malinsky and I'm representing the staff and the clients at Vintage Adult Day Care in East Liberty and in Downtown Pittsburgh. On behalf of all the people involved in Vintage, I would just like to say thank you very much to all the Councilmembers for recognizing the value of Adult Day Care Services in the community. We look at every single person who comes to our Adult Day Care Center as a viable and productive member of the community. We offer them services to promote their independence and their quality of life. I

really think we have a lot to celebrate this. Thank you very much.

Mr. O'Connor:

Winn is from Council Care, but she may be more famous for her son, Jimmy. He is now entertaining in New York City.

Ms. Gilden:

My name is Winn Gilden and I'm representing the Jewish Association on Aging and Council Care our Executive Director, Jede Johnson and all of our families and clients that do come to Council Care. We want to thank you very much for recognizing Adult Day Care We provide a very, very well program that enables families to cope with a little bit of extra time for themselves when they send their clients and their loved ones to an Adult Day Center. Council Care and all the Adult Day Care Centers, I think, are one of the best kept secrets in the City of Pittsburgh. commend every Day Care Center around. Thank you very much for everything and for this proclamation and to all of the Councilmembers, thank you.

Mr. O'Connor:

Linda, your mother was a patient there. Do you want to come up and tell us a little bit about it?

Ms. Lester:

Hi, my name is Linda Lester and I'm a caregiver of a patient that has Altzheimers, my mother. I've been caring for my mother for five years now and there's no way I could have made it through these five years without a facility

like Council Care 1 and 2. It's a very valuable asset to the community and as Winn said, it's one of the best kept secrets in the City of Pittsburgh. Hopefully, places like this can continue to grow to help us all survive through this disease. Thank you.

The Chair:

Thank you all, Councilman Onorato, I believe you have some guests.

Mr. Onorato:

At this time, if I could have Bea Gallagher, Susan and Bob Malie come forward, please. As they're walking forward colleagues, it isn't everyday that I give a proclamation regarding a bar in downtown Pittsburgh. But, we're going to make an exception today for all the years of commitment and great entertainment you've provided the residents of this region. This is a happy occasion and a sad occasion. It's a recognition of all those great years and also a recognizing that it's an end of an era.

MR. ONORATO PRESENTS:

No. 1008 WHEREAS, Gallagher's Pub was opened 40 years ago on Third Avenue by Mike and Bea Gallagher as one of the original sing-along piano bars in the City, moved to Market Street in 1970, and in 1980 moved to its present location in Market Square, and also has a sister Pub in Fort Lauderdale, and

WHEREAS, Gallagher's Pub has remained a family-owned business during its 40 year existence, and has been

managed by Suzanne Malie, sister of Bea Gallagher, for the past twenty years, and

WHEREAS, Gallagher's Pub has been a leader in promoting Downtown Pittsburgh as a destination for cultural, social, and business opportunities, with Mike and Bea Gallagher having been one of the founding members of the Market Square Association, and Gallagher's has continued its commitment to Downtown in through the active vears recent participation of Suzanne Malie in the efforts of the Pittsburgh Downtown Partnership, and

WHEREAS, the Gallagher's Pub in Market Square will close its doors forever on September 28th and today is celebrating "Six Months to St. Patrick's Day".

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates Gallagher's Pub on the success of this family business which has become a Pittsburgh landmark and thanks Mike and Bea Gallagher and Suzanne Malie for all of their work over the years in improving the vitality of Downtown Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Onorato:

I forgot Marty, I wanted you up here too. Marty Matakin is the Registered Wills of Allegheny County is also very good friend of the Gallagher's. I want him to be up here and share in their celebration. We're going to her from the Gallaghers and Ms. Malie. But, I just wanted to thank you. It isn't every day that we recognize a closing of a business, but for what you've done in the last 40 years and everyone here knows the history of that part of town in Market Square in the redevelopment. You were a key part of being there when, probably, the darkest hour of downtown, when people thought that downtown might be dying, you kept the vitality going and we thank you. I think even though you're leaving today, the success of Market Square and the surrounding area, you have a lot to do with that and we do thank you.

Ms. Malie:

On behalf of Bea Gallagher, my husband Bob Malie and myself, we'd like to thank Dan and City Council for this great honor. We've had a great time in Pittsburgh and we considered the Pub to be like a broadway show, it had a great run for 40 years and we thank you Pittsburgh. We'll see you in Ft. Lauderdale.

The Chair:

Thank you and congratulations. Thanks for all your hard work.

Mr. Onorato:

Mr. President, I have one for the record, too.

MR. ONORATO PRESENTS:

No. 1009 WHEREAS, Mrs. Helen Wehner has lived in the Brighton Heights neighborhood for most of her life and has been involved as an active member in many local organizations, and

WHEREAS, Mrs. Wehner first became involved with community work when she joined the Brighton Heights Forum which later became the Brighton Heights Citizen Federation, and

WHEREAS, Mrs. Wehner is a wealth of knowledge about the history of the community and the various incarnations the neighborhood group has taken over the years and is able to offer her unique perspective on current issues, and

WHEREAS, Mrs. Wehner was awarded the 1996 North Side Leadership Conference Award as the Brighton Heights honoree, and

WHEREAS, Mrs. Wehner has been instrumental in keeping the 1940 Oliver High School graduating class in touch serving as the Chairperson of her class reunion committee. She was a volunteer for 34 years at St. John's Hospital, served as auxiliary vice president, and is a member of the Brighton Heights Women's Club, and

WHEREAS, Mrs. Wehner has been married to Norb Wehner for 49 years and has three children, six grandchildren and two great grandchildren. She truly is a living example of the concept of one person working with many for the good of all, and

WHEREAS, it is for these reasons that the Brighton Heights Citizen Federation has named Mrs. Wehner their "1996 Person of the Year.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby recognizes the dedication and commitment of Mrs. Helen Wehner to her community and commends her for her outstanding citizenship and service.

MR. O'CONNOR moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Councilman Udin.

Mr. Udin:

Thank you Mr. President and good morning. I'd like to ask Josh Gibson and his family to please join us up front.

When I was about 10 years old, we moved into a new neighborhood on Francis Street and we were neighbors to the Gibson's, Josh Gibson, Jr., and his family. My dad used to tell me that that boys daddy could hit a ball further than anybody else that ever played baseball in the history of baseball. I never really appreciated the historical significance of Josh Gibson until I was an adult. But, I am truly honored to have known the Gibson's for so long and to be able to finally have the beginning of the due recognition that Josh Gibson, Sr., is due with the historical marker of that will be placed at Ammons Field on September 23rd of this year. You know Ammons Field is right down the street from what used to be the only Negro League Stadium which was further up the street where Chancy Drive is now on Bedford Avenue in the Hill District during the days of the Negro National League Baseball, when baseball was segregated. It was a very rich history and it is only now coming to full light of what a great history it was. So, on the 23rd of September, we'll be placing a historical marker at Ammons. Gibson. Jr., is the most ardened ambassador of not only his father's legacy but the legacy of Negro Baseball in general. I'd just like to thank you Josh for all the hard work that you do in keeping the memory alive. I'd like to present this resolution

MR. UDIN PRESENTS:

No. 1010 WHEREAS, On September 23, 1996, a Pennsylvania State Historical marker will be placed at Ammons Field in the Hill District to honor Pittsburgh's baseball giant, Josh Gibson, and

WHEREAS, Josh Gibson came to Pittsburgh at the age of fourteen in 1924, from Buena Vista, Georgia. He and his family lived in Pleasant Valley, an African American section of the North Side, and

WHEREAS, Josh Gibson enjoyed a magnificent baseball career. He played his entire career in the Negro National League in the 1930's & 1940's, when all pro sports were segregated, and was known as the "power house" behind the plate, and

WHEREAS, Some of his major accomplishments included winning the Batting Title and Most Valuable Player award in the Puerto Rican League in 1941, and the induction into the National Baseball Hall of Fame in 1972, and

WHEREAS, The Pittsburgh Crawfords and the Homestead Grays were the top two Negro Leagues, and by Josh playing for both teams it enabled him to play with other great Negro League players such as Satchel Paige, Cool Papa Bell, Oscar Charleston, and Judy Johnson.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh declares September 23, 1996 as "Josh Gibson" Day in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Udin:

I'd also like to introduce Gertrude Gibson, the power house behind Josh Gibson, Jr., Nancy Humpheries, Shawn Gibson and Renald Bonner. Josh if you would come up and say a few words.

Mr. Gibson:

I'd like to thank the City Council and also the Mayor for proclaiming Josh Gibson Day in the City of Pittsburgh. I'd like to accept this award on behalf of my deceased father, my sister, and my family and the ones that couldn't make it today.

There is lot of history in Negro League and as we traveled for the last five years, from time to time the ball players got a chance to travel, the oldest guy is 94 and his name is Ted Double Deputy Redcliff and Damion Runyun gave him that nickname years ago because he would catch one game and pitch the next. There's 208 living players as of last October. I was in Wilmington, DE doing the same thing for Judy Johnson. was the 1935 captain of the Negro League Homestead Grays and the Pittsburgh Crawfords. So, we travel all over the country, we're well accepted, we're hot right now and we go to shows with the old maior leaguers, Jody Maggeo, Yogi Bear, and Ferguson Jenkins. Reggie Jackson has been a lot of help to the Negro League. What we're trying to do now is to keep this history running because, especially the Pittsburgh Crawfords and the Homestead Grays, they're the teams in the Negro League, Satchel Paige, Josh Gibson, Cool Papa Bell are the top names. Pittsburgh Crawfords and the Homestead Grays believe it or not, those are the people you want to see.

This historical marker they're going to put in Ammons Field, now I won't have to meet people that call me from out of town out at Exit 6. I won't have to meet people down at the Hilton Hotel. I'm always the black guy with the Georgetown shirt. They don't even know me, people call me and want to know what do they have here concerning Josh Gibson. Well, my dad is buried at the Allegheny Cemetery and on muddy days and different things, I can't get up there so we have a pitcher. Now, when a lot of people come in, I can take them to Ammons Field where the real history is. We want to keep it going through the Josh Gibson Foundation. Thank you very much.

The Chair:

Councilman O'Connor you have to comment.

Mr. O'Connor:

I was curious because I've seen some old pictures and even some tapes and I was fascinated to see how big the fields were and how many people really went. It was very, very popular and I was just wondering if Ammon or something could at least display those pictures so that all of us really know what was there. If there's any plans for anything like that.

Mr. Gibson:

I left some history on that home run that he hit in Yankee Stadium with all of Council people. I had never played in Yankee Stadium myself, I played in the Polo Grounds. So, two years ago, they took me up to make a documentary on that home run that he hit in Yankee Stadium. If it hadn't been for my father, I wouldn't have believed it, it was way out there. You'll see what I left Council with on that home run.

Mr. Udin:

I'll share it with the members. There's also an effort of foot to create a museum that will be able to display all of the Negro League memorabilia and photographs including the Homestead Grays and the Crawfords and Josh Gibson's work. There's a very rich photographic history and record of the Negro Leagues and if we're able to help with the building of this memorial museum, we'll be able to all see those photographs.

Mr. Gibson:

It's a Pittsburgh thing. My father grew up on the North Side and started playing in the Hill District. We played all over Dormont. I grew up with the Homestead Grays and I started playing the last two years of existence when Jackie went up in '47.

The Chair:

Councilman Onorato.

Mr. Onorato:

I would just like to add that hopefully before the permanent site is found that we could take advantage of the Western Pennsylvania Historical Site, the new building. They have the floor where they rotate the exhibits every 6-7 months or every year. I've seen the photo display. That would be a great place. What more ties to the Western Pennsylvania History than the two best Negro League Teams that were from this area. Hopefully, they'll get their fair time over there on a display so that everyone going through there could see it.

I will just add that my Papa told me too that all good things start on the North Side and you're father is in Pleasant Valley.

The Chair:

Thank you all very much. There's a local Pittsburgh author, Rob Rock, from the Squirrel Hill Community who's an historian who's written an excellent book on the Negro League, specifically, the Homestead Grays and the Crawfords. I encourage everybody to read the book from the University of Pittsburgh Press.

That concludes our Read and Adopted. I believe we have one more to be read into record.

MR. UDIN PRESENTS:

No. 1011 WHEREAS, On September 15, 1996, Reverend Dr. J. Van Alfred Winsett makes history as the longest pastor to ever serve at Ebenezer Baptist Church, one of the oldest and largest African American Churches in the city of Pittsburgh, and

WHEREAS, In Ebenezer's 121 years there has been only 10 ministers who had pastored their church. Reverend R. Henry Marshall from 1875 to 1883; Reverend John Pryor from 1884 to 1891; Reverend B.S. Jones from 1892 to 1895; Reverend George B. Howard from 1896 to 1900; Reverend J. Ross Garner from 1900 to 1901; Dr. W. W. Brown from 1902 to 1915; Dr. Junius C. Austin from 1915 to 1926; Dr. T. J. King from 1926 to 1949; Dr. James B. Cayne from 1950 to 1971, and Dr. J. Van Alfred Winsett from 1973 to the present, and

WHEREAS, Reverend Winsett is a Louisville, Kentucky native. He received his bachelor's degree from Simmons University, and a doctorate degree in Pastoral Psychology. He is married to Mrs. Jacqueline Winsett, and the father of four children, Jacqueline, John, Lisa, and Delicha, and

WHEREAS, Reverend Winsett is a member of the Pittsburgh Ministers Conference, Editor of the Faculty Digest of the National Baptist Congress, Coordinator of the Special Projects Division of the National Baptist Congress

of Christian Education, Chairman of the North East Sector of the Social Justice and Civil Rights Commission of the National Baptist Convention USA Inc., Member of the Executive Board of the Hampton Ministers Conference and Community Representative to Margaret Milliones Middle School, and

WHEREAS, While pastoring at Ebenezer Reverend Winsett has built an eleven story senior citizen high-rise, a nursing home for the elderly, and recently completed work on a three story educational and office complex.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Reverend Winsett on his achievement, and extends congratulations as he celebrates his long tenure with Ebenezer Baptist Church.

MR. COHEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. In the earlier resolutions that I had were both adopted in relation to the Essay Contest as well as the recognition of Earl Jones. If the record could just reflect that. Thank you very much.

Moving to Presentation of Papers, Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman.

PRESENTATION OF PAPERS

MR. COHEN PRESENTED:

No. 1012 Resolution authorizing the transfer of \$130,511.00 from various Departments of Public Safety Code Accounts to the YCPC/Mayor's Youth Initiative Trust Fund, Index Code 255273.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Councilman Cohen for Councilman Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

MR. COHEN FOR MR. CUSICK PRESENTED:

No. 1013 Resolution providing for an Agreement or Agreements with various athletic and/or community organizations to operate concession stands on City owned property.

Also,

No. 1014 Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and Public Works to enter into a license agreement with the University of Pittsburgh to permit the University to conduct an archaeological excavation and other educational activities at the site of the Neil Log House located in Schenley Park, at no cost to the City.

Also,

No. 1015 Resolution providing for a Lease or Leases and/or License Agreements for the use of certain City property by the School District of Pittsburgh, in connection with the Bloomfield Head Start Center, at a cost not to exceed \$500.00 per month.

Also,

No. 1016 Resolution providing for a Lease or Leases and/or License Agreement or Agreements for the use of certain City property by the School District of Pittsburgh in connection with the Arlington Middle School, at no charge to the City.

Which were read and referred to the Committee on Parks, Recreation and Youth Policy.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTED:

No. 1017 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to name the unnamed parklet at the corner of Shiloh Street and Virginia Avenue, Mt. Washington, Council District 2, to Charles A. Lewis Parket.

MR. HERTZBERG moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda on Wednesday.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Which was read and referred to the Committee on Lands, Buildings and Procurement.

The Chair:

Councilman Hertzberg for Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Mr. Hertzberg:

No new papers, Mr. President.

The Chair:

Thank you Councilman Hertzberg.
Councilman Onorato for Mr. O'Connor,
Committee on Engineering and
Construction.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman.

MR. ONORATO FOR MR. O'CONNOR PRESENTED:

No. 1018 Resolution authorizing and directing the Director of Finance to solicit proposals from firms and agencies for professional services which will enable the City to implement a revenue control and collection program relating to the collection of the City of Pittsburgh's Parking Tax from duly licensed parking lot operators.

Also,

No. 1019 Resolution providing for the issuance of a warrant in favor of the U.S. Nuclear Regulatory commission, License Fee and Debt Collection Branch, in the amount of \$1,600.00 in payment of the Annual Materials Fee Invoice and providing for the payment of the cost thereof, charging the same to Code Account 1482, Miscellaneous Services, Index Code #148205.

Which were read and referred to the Committee on Finance and Budget.

Also.

No. 1020 Resolution further Amending Resolution No. 131, effective February 28, 1990, as amended by Resolution No. 437, effective June 21, 1995, entitled, "Providing for a Contract or Contracts and/or use of existing Contracts, for the Construction/Reconstruction of Various Retaining Structures, including but not limited to Holt Street, Andover Terrace, Dakota Street, Pusey Street and Sprain Street and providing for the payment of the costs thereof", by decreasing the total project allocation by \$2,631.23.

Also.

No. 1021 Resolution amending Resolution No. 305, effective April 6, 1987, entitled, "Providing for a Contract or Contracts and/or use of existing Contracts for the Rehabilitation of Play Areas at various locations including, but not limited to Spring Garden, Fineview and Lincoln Place and providing for the payment of the costs thereof", by decreasing the total project authorization by \$2,718.25.

Also,

No. 1022 Resolution amending Resolution No. 1434, effective December 31, 1993, entitled, "Providing for a Contract or Contracts and/or use of existing Contracts for Street Tree Planting at various locations and providing for the payment of the costs thereof", by decreasing the total project allocation by \$1,040.00.

Which were read and referred to the Committee on Engineering and Construction.

The Chair:

Mr. Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTED:

No. 1023 Resolution amending a Resolution of 1994 entitled, Community Development Block Grant Program by decreasing Perry Hilltop Food Bank by \$8,000.00 and adding Allegheny General Hospital, Goods for Guns Program \$8,000.00.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

No new papers, Mr. President.

The Chair:

Thank you Mr. Ricciardi. Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1024 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

MR. UDIN moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. ONORATO seconded the motion.

Which motion prevailed.

Also,

No. 1025 Resolution providing for the transfer of \$50,000.00 from Non-Departmental Code Account No. 46, Judgments and Interest on Judgments to the Department of Law Code Account No. 1081 Petty Claims.

Also,

No. 1026 Resolution authorizing the Office of the Mayor to enter into a License Agreement with Lease Trend, Inc. for the provision of an Office and Industrial Building and Tenant Database to assist in the Mayor's efforts to retain and attract businesses into the City of Pittsburgh, at a cost not to exceed \$11,000.00.

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1027 Resolution authorizing and directing the Chief, Bureau of Building Inspection to demolish the property located at 1401 North St. Clair Street in the 11th Ward.

Which was read and referred to the Committee on Public Safety Services.

Also,

No. 1028 A Communication from Paul Hennigan, Director of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of June 30, 1996.

The Chair:

We need a motion to receive and file on the latter recommendation.

MR. UDIN motioned to receive and file on No. 1028.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Thank you, the report is received and filed. That concludes our Presentation of Papers.

Moving to Unfinished Business or Reports of Special Committees, any matter to be brought before the Body? Hearing none at this time, we'll move to Reports of Committee. Committee on Finance and the Budget. Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

REPORTS OF COMMITTEE

MR. UDIN PRESENTS:

No. 1029

Report of Committee on Finance and Budget for September 12, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 897 Resolution providing for the conveyance of certain property in the First Ward of the City of Pittsburgh to the Public Parking Authority of Pittsburgh for the sum of \$1.00.

Also,

No. 953 Resolution authorizing the transfer of \$165,000.00 from the Emergency Medical Services Reimbursed Trust Fund (EMSRETF), Index Code 251819, to the Emergency Medical Services Trust Fund (EMSTF), Index Code 271785, for reimbursement of special event wages paid from EMSTF.

Also,

No. 954 Resolution authorizing the transfer of \$200,000.00 from Code Account 1421-4 EMS Trust Fund

Transfer, Index Code 142141, to Emergency Medical Services Trust Fund (EMSTF), Index Code 271785 for wages for EMS paramedics, crew chiefs and supervisors.

Also,

No. 962 Resolution providing for the issuance of a warrant in favor of Walter and Haverfield, Attorneys at Law, P.O. Box 931482, Cleveland, Ohio, 44193, in the amount of \$1,971.00 in payment for professional services provided to the Disparity Student and Implementation Commission, chargeable to and payable from Code Account 1001-1 Miscellaneous Services, Supplies and Equipment, City Council.

Also,

No. 963 Resolution providing for the issuance of a warrant in favor of Jacqueline L. Knaff, 8048 Aber Road, Verona, PA 15147, in the amount of \$897.00 in payment for stenographer services provided to the Disparity Student and Implementation Commission, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, City Council.

Also.

No. 964 Resolution providing for the issuance of a warrant in the amount of \$6,062.50 to AD1 Partners for a reprint of the Mayor's Development Report.

Also,

No. 865 Resolution providing for the issuance of a \$931.00 warrant in favor of Henry Vincent in settlement of claim for sidewalk damage as a result of City tree roots.

Also,

No. 966 Resolution providing for the issuance of a \$4,200.00 warrant in favor of Pamela Washington in settlement of claim for an accident involving a City vehicle.

Also,

No. 967 Resolution providing for an issuance of a warrant in the sum of \$25,000.00 to Patricia A. Geyer, c/o Kathleen K. Spurgeon, Esquire, P.O. Box 110040, Pittsburgh, PA 15232-0040, in full and final settlement of the action filed at c.a. 92-1389 alleging false arrest and personal injury at Point State Park on or about January 15, 1990.

Also,

No. 968 Resolution providing for the issuance of a \$1,570.00 warrant in favor of Stuart Friedlander in settlement of claim for sidewalk damage as a result of City tree roots.

Also,

No. 969 Resolution providing for an agreement or agreements for Stenographic Reporting Services in connection with Public Hearing(s) and providing for the payment of the cost not to exceed \$4,000.00.

Also,

No. 972 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also.

No. 973 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984. "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 974 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 975 Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council for the month of July, 1996, at a cost not to exceed \$1,251.15, chargeable to and payable from Code Account 1001-1, Miscellaneous Services, Supplies and Equipment, City Council, Index Code 100115.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Councilman Udin and then Mr. Ricciardi.

Mr. Udin:

Yes, on Bill No. 967, I just want to state for the record and for the public that I will be voting in favor of this bill today. But, it puts me in a very difficult situation whenever we have to shell out tax pavers dollars as a result of police misconduct or settling case involving а alleged allocations of police misconduct. You don't want to penalize the victims by not supporting the bill, but you still feel like we are voting to waste tax payers money for behavior we shouldn't have to pay for. Here's \$25,000.00 going to Patricia Gever in a settlement and I just hope, Mr. President, that there are more serious and systemwide and fundamental changes that will be taken up as a policy matter and as a training matter by the Administration to make sure that we do not continue this flow this stream of tax pavers dollars in the hundreds of thousands and close to millions to pay for police misconduct that can be changed if the Administration would just take this matter up more seriously and put half of much effort into changing the things that are wrong as he puts to resisting the establishment of a Civilian Police Review Board. This kind of behavior would not be necessary.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

A different issue.

The Chair:

On this same issue, I abstained last week and I'm going to continue to abstain today. I'm not voting for these settlements until such time that I see the proper systemic changes within the Police Bureau by the leadership of the Mayor and the Administration. I think certainly they are progressing. They have made some significant improvements, but until I see some systemic changes including the Civilian Review Board recommendation, I'm going to be abstaining again on this vote.

Councilman Onorato.

Mr. Onorato:

I just want to point out that I wasn't going to say anything on this bill, but based on the prior two comments voting for or against this bill in no way states that the police did anything wrong We have long or did anything right. settlements before us every week and I would hope that my colleagues would refrain by implying that a vote for a bill is saving that the police did something wrong. We don't know that yet. If they did, it's an issue we have to deal with. If they didn't, and I can point to hundreds of cases where we've settled where we all know that the police were right and there technicality was legal where. unfortunately, the jury system and some judge really stuck it to us. So, I'm very leery about voting for these types of bills if that's the kind of discussion we're going to have on final votes. I hope that we be careful on the discussion.

The Chair:

Thank you. Again, I didn't discussion the bill. In fact, I'm not

making a judgment statement by my abstention. I'm just expressing my concern chronologically and from an advocacy point of view in terms of my beliefs about the need for some systemic changes that we need to do that. And, until that's happening, I will continue to abstain. I am loath to approve various judgments in settlements regardless of how I, particularly, feel about any one incident. I'm not making any comment whatsoever regarding the nature of this alleged misconduct.

Any other discussion? Councilman Ricciardi.

Mr. Ricciardi:

On Bill No. 972, there are four properties being purchased in District 3 by the same individual, a non-City resident. I've requested some information. Unfortunately, it has not come to us to date. I promise I'll move these in the future as early as possible.

MR. RICCIARDI motioned to delete CDE and F.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Are we allowed to delete at this point on this specific bill?

Mr. Ricciardi:

Mr. President, we've done it often in the past.

The Chair:

The motion is also waiving in the rules and allowing the amendment.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion? Hearing none, the bill is now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed vote no.

Will the Clerk please call the roll?

(Pres't)

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo

NOES:

Mr. O'Connor

AYES: 9 NOES: none

BILL 897

AYES: 8 NOES: 1

BILL 967

AYES: 8 ABSTAIN: 1

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I'm sorry, the Parking Lot to a no.

The Chair:

Bill 897, Mr. O'Connor wishes to vote no, also.

BILL 897

AYES: 7 NOES: 2

The Chair:

Thank you very much. Moving to Committee on Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTS:

Bill 1030

Report of Committee on Planning, Zoning and Land Use for September 12, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 959 Resolution providing for an Agreement or Agreements with a Consultant or Consultants to conduct parking studies to determine if selected Pittsburgh residential neighborhoods meet the impaction criteria as specified in the Residential Parking Permit Program Ordinance, Chapter 594.04, at a cost not to exceed \$15,000.00.

The Chair:

You have heard the reading and title of the bills, is there any discussion?

Hearing none, the bill is now ready for action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Lands, Building and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTS:

Bill No. 1031

Report of the Committee on Lands, Buildings and Procurement for September 12, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 957 Resolution providing for a lease agreement with the Pittsburgh Children's Museum for the use of certain property located at the rear of the Buhl Planetarium Facility for a nominal fee of \$1.00 per year.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action. All those in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

Committee on Parks, Recreation and Youth Policy, Councilman Cusick.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Mr. Cusick.

MR. CUSICK PRESENTS:

Bill No. 1032

Report of Committee on Parks, Recreation and Youth Policy for September 12, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 956 Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with Summer Food Service Program in the Department of Parks and Recreation, at a cost not to exceed \$800,000.00, chargeable to and payable from Code Account SSFSP (270256) Special Summer Food Service Program in the Department of Parks and Recreation.

The Chair:

You've heard the reading and title of the bill, is there any discussion?

Hearing none, roll call vote.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes, have been approved finally.

Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

MR. COHEN PRESENTS:

Bill No. 1033

Report of the Committees on Public Safety Services for September 12, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 955 Resolution providing for a Contract or Contracts or Agreement or

Agreements and/or use of existing Contracts or Agreements for the purchase of emergency medical billing computer software, Bureau of Emergency Medical Services, Department of Public Safety, at a cost not to exceed \$10,000.00.

The Chair:

You have heard the reading and title of the bills, is there any discussion?

Hearing none, the bill is none ready for final action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes, have been approved finally.

That concludes our Reports of Committees. Under Motions and Resolutions, I want to remind our colleagues and the public that there is a public hearing, it will be an expedited public hearing, this afternoon regarding the Administration's four bills and

proposal on the sale of the tax liens. That's at 2:00 p.m. Hopefully, we'll be on time and we can get through that public hearing quickly.

If there's no objection, I'd like to recess this meeting and meet again tomorrow following the public hearing to actually act on the four bills. I think we need to cut bait here, good, bad or indifferent. Let's have the public hearing and let's get all the information out. But, I think in terms of the meeting with the Administration's request for a deadline for September 30th, I think we need to just expedite and move this whole decision making process along unless there's such an outstanding issue at the hearing. I don't think and I hope that that's not the case. So, prior to the final vote, I'll ask for my colleagues to entertain a motion to recess this meeting and meet again tomorrow following the Wednesday, Standing Committee Meeting.

Are there any other matters under Motions and Resolutions? Councilman Udin.

Mr. Udin:

This is on an unrelated matter Mr. President if I may.

The Chair:

Yes.

Mr. Udin:

I read in the Newspaper this weekend with utter disgust the alleged involvement of the Central Intelligence Agency in the distribution of cocaine in the United States as a mechanism to fund

the Contress in Nicaragua. Obviously, I'm aware as all my colleagues, are aware of the utter destruction in genocide that has resulted from the easy access and the flooding of our communities with crack cocaine. Especially, through the massive availability of cocaine to certain gangs beginning in California and, then, those gangs spreading throughout the country. The number of lives that had been lost, the mothers that are crying, the fatherless children, and the destroyed communities is just absolutely unspeakable. sending a letter -- first of all, I'll be bringing forward a resolution to this Body next week requesting your support calling for a congressional investigation. I don't think that it's enough for us to just sit by and shake our heads and say, isn't that a shame. There is potential criminal activity here on a large scale. I think it needs to be investigated and those who are responsible brought to justice. I will be proposing a resolution to that affect. I will be sending out letters to all elected officials and community leaders asking that they contact Congress and the White House and push for an investigation. And, those who are responsible for it need to face justice just like they insist that everyone else face justice. If it's true, it's an absolute large scale crime. Thank you.

The Chair:

Thank you very much. I have to comment because I'm typically critical of the media especially our good ole Pittsburgh Post Gazette. But, I was very impressed because that they actually did a lengthy review and analysis of what started out as a very small clip about a week ago in the paper, expanding ten fold and is actually a major issue confronting this nation. I am personally and I think all

of us as public and municipal elected officials, we should be outraged and I very much would support a resolution calling for a congressional investigation. I think it's amazing that the Congress has spent \$30,000,000.00 or \$40,000,000.00 on some white water investigation on a bunch of lawyers that did something about 20 years ago. Which, if you know any lawyers involving real estate, no disrespect to anybody here or in the public, the fact of the matter is everybody's questions can be called to task. It's just an outrageous proposal that that is so political and a waste of human energy and, yet, the Congress and even some of Administration are quick to just hide this whole issue under the rug. I think clearly there should be a congressional investigation. I think local municipal officials need to speak up and let there Congressional Delegation and the House and the Senate, as well as the Clinton Administration know how upset we are. I think it's much more insidious than just what Councilman Udin has outlined

I think in addition to the issue of congressional investigation, let's be honest here, if you're an upper income white suburbanite and you happen to sniff cocaine you get one sentence. If you're an African American male involved in the economics, and I'm not in anyway condoning it, let's look more realistically at it, it's much more insidious. The crack cocaine jail sentences and everything are ten times what is involved for anybody white or middle class who is involved in drugs. It's about time this country start setting aside all their moral emotionalism about the so-called drug crises and deal with it in a very rational way about what it's been doing in this country to people, to our police officers, to our communities. and to our families and start putting the attention to creating jobs, employment and We're building prison deal creatively. cells. We have a crack cocaine jail sentence that's 10 and 15 times what it is. It's class politics. It's about the economics in this country and it's about time we start getting realistic about what's going on in this country. I am sickened when I hear Dole now attacking Clinton, he's soft on drugs. Teen drug activity is on the increase. When are we going to wake up? Let's start spending the money where it needs to be. We're struggling to keep the boys and girls club opened and all the other creative programs that we're involved in. This should be a congressional investigation and it should be a presidential debate. We should start talking about what this so-called drug war that we lost a long time ago is all about and let's start reviewing what's the best use of those billions of dollars in human resources. I think it's outrageous. I think the federal judges and the court system to be utilized to restore some sense of We should hold people accountable as well as our elected officials and everybody else who's voted to create a disproportionate and inequitable system that is straddling the backs of City tax payers and County tax payers and State tax payers.

And, we should talk about reparations not only to the community, but we should talk about reparations back to local government. We're the ones that are bearing the burdens of all these prison cells and drug war policy that's gone array and is morally bankrupt. So, I certainly applaud Councilman Udin for raising this is. I hope we have some Congress people that will stand up and start doing a proper

investigation and let's talk about holding people accountable.

Having said that, needless to say that's an important issue. I don't think it's an issue that we sometimes get into where we're just commenting on something that's supposedly just something to Congress we're supposed to worry about. We're local officials. Our Lawrenceville Communities, our Garfield Communities in my council district, at least, we're the ones that have to deal on the street with the lack of resources and what the crazy policy that we have in this country. We better start getting real because there's a lot of people trying to tear this country down. If it's going to happen, it's not going to come from externally, it's going to happen from the grass roots because of the whacked out policy that we have in this country.

Any other comments on any other issues?

Councilman O'Connor.

Mr. O'Connor:

Just to follow-up on what you've just said, it's still mind boggling that a 12 or 15 year old kid can get crack cocaine and he can't get a six-pack of beer. Why with our strong Army, Navy and Marines that we can't guard these boarders. I've said this for years for the last 10 years and it's not a democratic, republican thing, it's a big business. All our public officials in Washington don't have the guts to stop it. Evidentially, with every other grass root thing with Councilman Udin starting, maybe it starts with local City Councils all over this country to start waking people up and sending a message upstairs.

The Chair:

Well, that's all I know on a personal level and dealing with a lot of people in my own council district for nine years as elected official. What I'm sick of is that the only money that's spent is on the judicial system, building prisons and police actions and we lost that battle. It's about time and it's not a popular view and, maybe, it's a minority view, but I think we should decriminalize the whole use of drugs in the society and spend the money where it should be spent.

Ιf Ι could provide some opportunities to some of the young people that I've dealt with in my council district, if I could give them a job, if I could give them some opportunity for education, if I could give them opportunity for treatment. I've had situations where I've taken people to St. Francis and other health care providers and their basic attitude is well if you can't pay and you don't have health insurance, we're not going to help you reform this person in terms of their habits. Let's spend the money on treatment, education and job creation and not this illusion that somehow we're going to win a war. We we're going win it about as successfully as prohibition did in the '20s. We better start getting real here.

Thank you very much. Hearing no other issues under Motions and Resolutions. Again, we do have a public hearing later this week, Thursday evening, at Knoxville Middle School on this issue of the Civilian Review Board Proposal. There is a public hearing Friday morning.

Thursday, September 26th, there is a public hearing which will be cable cast

on the discussion and the whole issue of a so-called baseball and new stadium. What should development be on the North Side? should we build a stadium? Is there money to pay for it? Is it the best use of public funds? Should we do something better like what I want is a convention center? Whatever the issue is, we're going to debate it on the 26th.

At this time, in addition to approving the minutes, I motion to recess this meeting and meet tomorrow afternoon, Wednesday, September 18th, immediately following the Standing Committee Meeting.

This legislative meeting stands adjourned. Thank you.

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER City Clerk
JOHN R. MASCIO...Deputy City Clerk

Pittsburgh, PA Tuesday, September 24, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr.O'Connor (Pres't)

The Chair:

Good morning everyone. Would you please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased this morning to have Kathleen Coyne. She's a fourth grade student, she's 9 years old and she is a student at St. Stephens School in Hazelwood. She is a cheerleader and an

artist. She likes to draw and her dad is here, Mr. Ed Coyne and Kathleen is going to lead us in the Pledge of Allegiance, Kathleen.

Kathleen Coyne:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you, thank you Kathleen, we appreciate you and your dad coming down here this morning and our City Clerk would like to present you with the flag of our great nation and the flag of our City. Thank you very much. Needless to say, Mr. Coyne and his family are from the Hazelwood community from Councilman Bob O'Connor's district.

At this time I would like to call on Councilman Cohen.

Mr. Cohen:

Thank you Mr. President.

The Chair:

Thank you Mr. Cohen.

Mr. Cohen:

Good morning everyone, will Paul Maumberg come up please, thank you. This resolution is co sponsored by myself and Councilman Ferlo and it's an issue that's a very, very important issue, not one that we discuss very often here in City Council, but certainly a very important issue for our nation. President Clinton is going to the United Nations today and the National Media has really focused on things other than what he is going to do They've been focusing on personalities, things like who's going to be the next Secretary General of the United Nations and will President Clinton be cordial with the current Secretary General and all that kind of stuff. But, the real issue today and one which is a far, far more lasting value is that President Clinton will be signing the Comprehensive Test Ban Treaty and although this treaty is not perfect it really provides a major and essential step toward permanently banning all nuclear test explosions worldwide. There have been over two thousand nuclear test explosions worldwide, which has caused a tremendous radioactive contamination, not to mention the issue of the possible use of those nuclear weapons. And, this treaty that the President is going to be signing today and passed the general assembly by a huge number, I think 158 to 3 really fulfills a dream espoused by President John Kennedy when advocated and signed the limited test ban treaty over 30 years ago. This City Council passed resolutions for comprehensive test ban treaty in 1986, in 1991, and in 1995 and it's really a wonderful day to be able to today pass a resolution that congratulates President Clinton for signing a comprehensive test ban treaty and with that I would like to read this resolution and introduce our guest.

MR. COHEN PRESENTS:

WHEREAS, the advent of the nuclear age has brought with it a time of potential destruction to humankind that is greater than the world has ever known; and

WHEREAS, radioactive contamination caused by the production and testing of nuclear weapons has poisoned large areas of the earth and sea; and

WHEREAS, the U.S. expenditure of \$3.9 trillion for nuclear weapons over 5 decades, and the annual expenditure of over \$30 billion for nuclear arms, has contributed to record budget deficits, while essential community programs are being eliminated; and

WHEREAS, on Tuesday September 24, 1996, President Clinton, along with heads of state from France and the United Kingdom, is expected to sign the Comprehensive Test Ban Treaty; and

WHEREAS, the completion of a Comprehensive Test Ban Treaty by the nuclear powers will provide the first steps toward permanently banning all nuclear test explosions world-wide, whether in earth, sea, atmosphere or space.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends President Clinton for signing the Comprehensive Test Ban Treaty; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh supports prompt ratification by the United States Senate of the Comprehensive Test Ban Treaty; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh encourages all Pittsburghers to call on our government and all other nuclear weapon states to promptly initiate negotiation of a treaty to totally eliminate nuclear weapons by the year 2000.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much, there also is going to be a rally today in Market Square and a gentleman who is going to be attending that rally and someone who has been very, very active on this issue is Mr. Paul Maumberg. He is the immediate past President of the World Federalist Association and of course part of the Coalition, the Western Pennsylvania Coalition for a nuclear test ban. Maumberg, congratulations, please accept this proclamation on behalf of City Council and provide us with a few remarks if you would.

Paul Maumberg:

Thank you. I am very pleased to be representing the Western Pennsylvania campaign for abolition of the nuclear testing to accept this resolution and I want to say and to Councilman Cohen's

remarks that this test ban will lead to a cleaner environment, will lead to a reduction in the cost of developing new and more expensive nuclear weapons and will lead the way towards eventually obtaining a complete ban on nuclear weapons, these terrible weapons of destruction in our world. Speaking for the Coalition, I'm proud to be a member of this community whose leaders see an importance in world matters such as the banning of nuclear tests which are important for world stability and to have a Council who is leading the City into the new world of social, economic, and political arena a future and with a sense of acting an important role for that future in the City of Pittsburgh. I repeat Dan Cohen's remarks about our celebration which is being held in Market Square, unless it is raining too much in which case it will be downstairs I understand and there is some cake there and I don't know if there's any liquid refreshments or not, but, your all welcome to join us. Thank you very much.

Mr. Cohen:

Thank you very much.

The Chair:

Thank you. Councilman Cusick.

Mr. Cusick:

Thank you. Would Sr. Ann Catherine, Father Burke and other friends and family members that have come to share in her joyous event today please come up.

Well, I'd like to introduce some of the people here with Sr. Ann Catherine and this is Father Al Burke, he is the Pastor of St. Catherine's, she has with her Carol Sye, is that your niece? Sr. Carine, Father David Shore, Pastor of Most Holy Name, Vivian Ash, a friend of yours, Sr. Mildred, Carmine Ferez, Sr. Margaret Miller, Janice Cully. I'm sure there's other members here and I apologize if I didn't get your name, but thank you anyway for coming down and joining in this very, very important day for Sister and if I may.

MR. CUSICK PRESENTS:

WHEREAS, Sister Ann Catherine Todd was born on December 25, 1912 in Mt. Vernon, Ohio, and

WHEREAS, Sister Ann Catherine grew up in New Castle, the daughter of Catherine and Edwin Todd, along with two brothers and two sisters, and

WHEREAS, Sister Ann Catherine entered the order of the Sisters of Saint Joseph on September 8, 1928, and

WHEREAS, Sister Ann Catherine obtained her degree in Education at Mt. Mercy College in 1948 and her degree in Elementary Administration at Duquesne University in 1962, and

WHEREAS, Sister Ann Catherine taught at St. Catherine of Siena School for one year and proceeded to serve as principal for ten years, and

WHEREAS, Sister Ann Catherine has dedicated the last fourteen years ministering and comforting the sick and dying in local hospitals, and

WHEREAS, Sister Ann Catherine has devoted her life to God and to the

educational and spiritual development of our city's children, and

WHEREAS, Sister Ann Catherine will retire to the Motherhouse in Baden in October 1996 after 68 years of dedication to Church, God, and her community.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Sister Ann Catherine on her retirement and honors her for her years of dedication and service to the residents of the city of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, September 29, 1996 "Sister Ann Catherine Day" in the city of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Cusick:

As I said, as you can tell, Sister has been probably more years than a couple of us have even been alive and added together and I just want to wish you so much happiness and thank you so much for all your dedication. I have a great aunt that just about 2 years ago had her 50th and I know how much that meant to her and I know how much this means to you after 68 years. There must be a true love for all of our children, for all of us and we really are appreciative of that and if you would, I'd like to present this to you.

Sister Ann Catherine:

I'd just like to take this to say thank you to all and everybody and I'm glad I was able to do what I was told to do. Thank you.

Mr. Cusick:

I'd like to give the Pastor of St. Catherine's, an opportunity to say a few words.

Pastor:

Thank you Joseph. I just want to thank City Council for this moment for Sister. It's been a great pleasure to have Sister as a great part of St. Catherine Parish for so many years. She has touched so many people in the Beechview area and every time we have something in our community and Sister is present, everybody gathers around her because they have been touched by her in their years of going through St. Catherine's School and she will be greatly missed in the community and we certainly welcome her to come back any time she feels free to do so. Her presence is a great inspiration to all of us in Beechview, thank you.

The Chair:

Thank you. Councilman Udin.

Mr. Udin:

Yes. Mr. President, about 43 years ago, a little skinny black kid named Sam House entered the 5th grade at St. Richard's Grade School in the Hill District and met one of the toughest disciplinarians the Marines would be proud of. Sr. Ann Catherine ran that School with the kind of discipline and dedication that most of us had not seen anywhere in education before, but, it produced many generations

of well educated, highly respected, Hill District children as graduates of St. Richard's Catholic School, and despite how hard headed I was Sister, I did remember a few of the things that you taught and I'm hoping to continue to use some of those things here on City Council and some of these hard headed here at this table. Thank you very much for your many, many years of service in the Hill District at St. Richard's.

The Chair:

Councilman O'Connor. Thank you Councilman Udin.

Mr. O'Connor:

Sister, I just want to congratulate you and thank you and all the nuns that I'm sure a lot of us wouldn't be sitting here if it weren't for the good sisters who not only gave us the education but the discipline and now I know if we have a problem with Sala, who to call if we need your help. He was a good boy, she said good guy.

The Chair:

Thank you, congratulations. Councilman Hertzberg.

Mr. Hertzberg:

Could I have those come forward that are here in connection with the Charles Lewis, the dedication of the Charles Lewis Parklet, the Lewis Family, which is a very large family and I'm pleased to be able to present this resolution today in memory of Charles Lewis and I will be reading it shortly. I think a lot of people in this City should remember Charles Lewis most of all as a firefighter. He was also a resident

of City Council District 2, he died in 1990. This Saturday, we are going to be dedicating a Parklet in Mount Washington right next to the fire station in Mount Washington in memory of Charles Lewis and we have here with us today Mary Lewis, who is the widow of Charles Lewis, James Lewis, son of Charles Lewis, Charles Lewis, the son and a fire fighter and if I don't mention that you are a fire fighter it's not intentional, but it's a family of fire fighters. Lieutenant David Lewis, son of Charles Lewis and a fire fighter, Mary K. Sullivan, daughter of Lewis, Charles Rachel granddaughter, Victoria Lewis. granddaughter, Mary Carestis, who I know quite well, sister. John Carestis, brotherin-law and retired fire fighter. Kyle, sister, Bobby Carestis, nephew and a fire fighter, well known to a lot of us here on Council. Kay Hall, niece, Kay Hall is a staff member of mine and Administrative Assistant. Christie Will, niece who is very involved in this Parklet dedication that will occur on Saturday. Kathy Sipian, niece is here. Captain Jim Dawson, a close friend, Gal Lancey a close friend and who has done a lot of the work towards getting this parklet dedicated and of course Joe King is here, the current President of Firefighters Local No. 1, Gordon Shear, nephew, Ed Shear, nephew, Glade Knock, retired fighter, former vice-president of Local No. 1 is here and there are also individuals that and if I didn't mention everyone that's up here, I apologize but there are also a number of individuals in the audience that are present, past fire fighters and friends of former Chief Charles Lewis, and let me read the resolution which is co sponsored by Council members Ricciardi and Cusick who also have connections with Mount Washington, they have districts that are in Mount Washington as well.

WHEREAS, Charles A. Lewis was a City of Pittsburgh Firefighter for thirty-five years and a resident of Mount Washington for thirty-seven years; and

WHEREAS, since the death of Charles A. Lewis in 1990, his dedication to fire fighting in the City of Pittsburgh has continued through the service of his firefighter sons, Charles and David who is now a Lieutenant at the Mt. Washington Engine House, as well as other relatives; and

WHEREAS, Charles A. Lewis had a distinguished career as a City of Pittsburgh Firefighter including: Captain of the Mt. Washington Engine House on Virginia Avenue from 1965 to 1980, President of the Firefighters Union from 1967 to 1980, City Fire Chief from 1980 to 1985; and

WHEREAS, in 1959 it was Charles A. Lewis who originated the Firemen's Boot Collection for donations to the Muscular Dystrophy Association, giving donors red plastic fire hats as a token of appreciation for their generosity; and

WHEREAS, when the building which houses the Police Station at the corner of Shiloh Street and Virginia Avenue in Mt. Washington was razed, it was Charles who had the idea that the vacant lot should be used as a public parklet to be enjoyed by all residents; and

WHEREAS, the Council of the City of Pittsburgh, through its legislative process, is dedicating the parklet at the corner of Shiloh Street and Virginia Avenue in Mt.

Washington to the memory of Charles A. Lewis by naming the parklet Charles A. Lewis Parklet; and

WHEREAS, on Saturday, September 28, 1996 at 11:00 A.M., a ceremony is being held at the parklet to formally dedicate it to Charles A. Lewis;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, September 28, 1996 as "Charles A. Lewis Day" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed

Mr. Hertzberg:

Thank you Council and I hope we can get someone from the Lewis Family to say a few words, Mary Lewis, if you wouldn't mind.

Mary Lewis:

Thank you. This is truly a memorable and a proud day for myself and for all the entire Lewis Family. Charlie was never one for having a fuss made over him. He was always thinking of other people and that is why he thought this property could be put to good use for the community. So, on behalf of all the Lewis Family, I would to thank Councilman Alan Hertzberg for sponsoring this legislation for co sponsors Joe Cusick and Gene Ricciardi and to Christie Will, Charlie's niece and Gal Lancey, for all the time and effort they put in to make this a reality and to Joe King and Don Dorsey for all their doing to make

Saturday's dedication a success and finally to all members of City Council for approving this legislation and for having us here today, thank you.

Mr. Hertzberg:

Councilman Cusick.

Mr. Cusick:

Thank you, I just wanted to say to the Lewis and Caristis Family, there should be another piece of legislation up there and that should be the first family of the fire fighters is right here. I watched the Muscular Dystrophy Telethon and this family takes a day all on it's own and answers the phones and that's how committed they are. They are as committed as their father, their uncle, their brother was to helping people and it is just an honor to know them and to be associated with them and thank you for all you do for all of us. Thank you.

The Chair:

Thank you and congratulations. And we have one to be read into the record.

MR. HERTZBERG PRESENTS:

WHEREAS, on Saturday, the 21st day of September, 1996, the Win-Char Senior Citizens will be celebrating their 15th Anniversary as an organization in the 28th Ward of the City of Pittsburgh; and

WHEREAS, this organization was formed after discussions at the Civic Club meetings about the inability of some seniors citizens to come out at night, and the desire of senior citizens to have daytime activities; and,

WHEREAS, Grace Kocay and Theresa Pavlovich took it upon themselves to actively work with the City of Pittsburgh to develop the Win-Char Senior Citizens Center; and

WHEREAS, they began in an empty room at the Chartiers City School with a group of 20, and have blossomed into a membership of 117 active seniors meeting at the Win-Char Civic Center;

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh joins in the community celebration commemorating their 15th Anniversary and extends best wishes for continued success.

MR. RICCIARDI moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

We're going to let this family reunion subside a little. It's certainly a great honor and memory to Charlie Lewis. Councilman Onorato, you have some guests in the audience. Thank you. This is the first time I have never heard Joey King speak at Council when he was up here. That's a first.

Mr. Onorato:

Well, he's still not out of Chambers yet Mr. President. At this time I would like to have the representatives from the United States Postal Service come forward and as they are walking forward, I will mention their names here. Michael Benson, the

post master is with us today. Michael Broze, the District Manager of customer service and sales. Vicky Vetchick. Customer Relations Coordinator. Gloria McGull, Retail Specialist. Bill Obringer, full time clerk. Tom Mullenick, full time clerk and Terry Gardullo. Communications Specialist and if I pronounced those wrong, I apologize. Colleagues, this is a special proclamation. because I think it really gives credit to the United States Postal Service, where credit is due. Obviously, you take it on the chin a lot of times with a lot of jokes over the years I'm sure, but I think this is a sign of the new and entrepreneurial spirit at the postal service and at the same time they are not forgetting the people in need.

MR. ONORATO PRESENTS:

WHEREAS, the United States Postal Service recognized that there are individuals especially senior citizens who have a difficult time visiting their local post offices; and

WHEREAS, in order to provide more convenient postal services to residents of senior citizen high rises, senior citizen centers, some private care homes and apartment buildings, the Pittsburgh branch of the United States Postal Service initiated the Mobile Post Office; and

WHEREAS, Mobile One is a converted mail truck fully equipped with postal machines and materials to provide full service to customers including picking up mail, selling stamps, money orders, priority mail, packaging material, and most products available at regular post office windows; and

WHEREAS, this service which has been very well received and regularly reaches 4,000 apartments inhabited by seniors and shut-ins every two weeks, has been in commission since the summer of 1995; and

WHEREAS, out of approximately 126 total complexes that receive this service, about 60 of them are within the City of Pittsburgh reaching the north, south, east and west.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes and commends the Pittsburgh Branch of the United States Postal Service for its insight and creativity in reaching out to the people who can't get out to the post office and helping those individuals remain independent and self sufficient.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Onorato:

I just want to personally thank you and at this time have Mr. Benson, the Postmaster receive the award and say a few words because I think you really have turned the place around and we do appreciate the services you provide to our residents, thank you.

Mr. Benson:

It is truly a pleasure to accept this honor on behalf of the men and women who administer to and work the mobile post office. We began with one vehicle last, in the Summer of 1995 and in April of 1996, we added our second. I have been very pleased by the response. Now, as we move into the 21st century, to be the provider of hard premier communication we will continue to service the needs of the people of Pittsburgh and especially our senior citizens and in this season of political bridges I would just like to say that the Postal Services intends to maintain it's bridge to the past with it's rich heritage and it's service to the public, but also to build a bridge to the future where it will be a major player and it's still a vital link of communication to the American public. Thank you.

Mr. Onorato:

I have one for the record too.

The Chair:

Yes Councilman, one to be read into the record?

Mr. Onorato:

Yes.

MR. ONORATO PRESENTS:

WHEREAS, 120 years ago, a group of Lutheran pastors, including Dr. William A. Passavant eyed up the territory of the City of Pittsburgh known as Observatory Hill for a new Lutheran congregation; and

WHEREAS, a one-half acre of land was purchased for the construction of the congregation's first building. It occupies the space where the Incarnation of Our Lord Parish House sits today. The Reverend G.G. Gerberding became the

first pastor on this mission field in 1876; and

WHEREAS, in 1914 the cornerstone of the present English Gothic stone building located at 3936 Perrysville Avenue was laid; and

WHEREAS, before the depression Mt. Zion sponsored both a Foreign Mission Pastor and a Home Mission pastor. After World War II, the congregation was able to resume its commitment to both missionary fronts; and

WHEREAS, during World War II Mt. Zion was the first Church in Pittsburgh to dedicate a Service Banner in honor of its 312 men and women who served in military service; and

WHEREAS, over the years the congregation has been supportive of Camp Lutherlyn, the Passavant Center, Theil College and Gettsburg Seminary; and

WHEREAS, Mt. Zion has hosted YMCA meetings including meals in its earlier days; host Religious Education Classes for students from Perry High School; and sponsored a strong Boy Scout Troup for 76 years; and

WHEREAS, throughout these 120 years, Mt. Zion has been served by 15 pastors. The congregation has given 12 sons to the ordained ministry; one daughter to the diaconal ministry and one daughter to commissioned missionary service.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the congregation and pastor of Mt. Zion Evangelical Lutheran

Church on 120 of Ministry and wishes the Church continued success in the future.

MS. MCDONALD moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much, Councilman Udin.

Mr. Udin:

Thank you Mr. President. I think that all of us can remember about 10 years ago listening to a series of special hearings of congress that looked into the question of whether or not there were some members of the United States Military who had decided to defy the United States Law and circumvent the law in order to find a way to fund arms sales to a group of individuals who became known as the contras who were fighting a particular government in Nicaragua whose politics they disagreed with. And, I remember how chilling it was for most of us to think that the military of this Country could form a kind of a shadowed government to make it's own policies with regard to international affairs concerning particular country. Now, it appears, or at least it is alleged that one of the additional things that was going on at the same time was another effort to provide finances for this same group of contras at a time when United States law prohibited not only guns from being sold to the contras, but also prohibited United States finances to be used to support the contras. And so as an additional way of circumventing the law, it is alleged that certain members of this contra group were allowed to bring cocaine into the United States. An extremely large quantity and to engage in this criminal genicidal scheme to supply warring gangs within South Central Los Angeles, the Crips and the Bloods, to supply them with drugs and crack cocaine, guns, and enough facility to start an underground nationwide industry of the sale of crack cocaine. It's also alleged that this underground industry not only has generated billions of dollars in an underground economy but has also spun the death of hundreds and thousands of young black men, the destruction of many families and communities and the saturation of today's jails and prisons with young black men who have gotten caught this underground economy apparently facilitated by the CIA during the '80's for the purpose of funding the contras in their war against the Nicaraguan government. Therefore, this resolution seeks to support the congressional black caucus and other groups within the Country that are calling for an immediate investigation into this matter.

MR. UDIN PRESENTS:

WHEREAS, A recent report written by Gary Webb of the San Jose Mercury News exposed information that for over a decade the Central Intelligence Agency (CIA) has allegedly shipped tons of crack cocaine into African American communities, and

WHEREAS, Both the Regan and Bush Administrations are being accused of presiding over plans instigated and managed by the CIA to supply gangs in South Central Los Angeles with the illegal drug, and

WHEREAS, Documented reports reveal that the profits from the illegal sale of cocaine were used to purchase guns for the CIA backed Nicaraguan Contras during the 1980's, and

WHEREAS, The consequences of dumping crack cocaine in the African American communities has led to violence and homicides, family and community destruction, an increase of African American males being incarcerated, thousands of babies being born addicted to crack, and

WHEREAS, Members of the Congressional Black Caucus and other influential black leaders are calling for an official investigation into what role the government may have played, and the alleged connection between the CIA and the Nicaraguan Contras in drug trafficking.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh joins with the Congressional Black Caucus in calling for a full investigation into the allegations of the United States Government involvement.

BE IT FURTHER RESOLVED that if the CIA or other agencies of the United States Government are found culpable, that affected communities should become top priorities for drug treatment and prevention and community rebuilding reparations.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh asks the United States Congress and the United States Attorney General, Janet Reno, to take appropriate action to ensure the citizens that an expedited investigation will begin immediately.

MR. RICCIARDI moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. We had a lengthy discussion last week, I think you know how strongly I feel in favor of it including the point I raised last week about reparations. The year long news article from the San Jose Mercury News was a prestigious article, а investigation that took place. It has a high degree of credibility in fact it's probably been reprinted not only in our daily papers, but countless major newspapers all around the Country and magazines and I was pleased to see US Senator Diane Fineside from California also take up the mantle of this issue for the need for congressional oversight and investigation, but, I'm very pleased our colleagues come forward with this resolution. I would ask that we send this resolution to all members of the House in the Senate on behalf of our City and I'm sure other local governments are going to be issuing similar proclamations and we may want to communicate to them also on our good old internet, which I'm sure we will try to do shortly.

Is there any other comments or discussion, Councilwoman McDonald?

Ms. McDonald:

Yes, I'm proud to have voted for the resolution that Councilman Udin has presented to the Council body. Again, it is

shocking for, at times it seems shocking and other times it seems quite what I would expect, unfortunately, quite what I would expect that I don't see a lot of laboratory's and full scale sophisticated manufacturing facilities in a lot of our depressed communities, particularly black communities that these drugs are coming in from some where. We don't make them, we don't grow them, we don't even have the atmosphere or the weather conditions to even grow a lot of this stuff. So, I applaud Councilman Udin, it will be interesting to see how aggressive we all must be to make sure that we do push for a full scale investigation. At times I'm sure people are wondering, well what in the world is City Council in Pittsburgh, little Pittsburgh doing even discussing this issue. It's something that is media worthy, but what can Council do. Council can do just what Councilman Udin has presented is support the resolution and support efforts to make sure that the government is clean. When we keep talking about three strikes and your out, I want to know where government is now accountable, including all departments. Yes, this is an issue and it is an election year, but it is an issue that even Pittsburgh should be involved in that we should support 100% when we talk about accountability, it must be at all levels of all governments from the City all the way to the Federal Government and I applaud Councilman Udin for resolution.

The Chair:

Thank you, Councilman Cohen.

Mr. Cohen:

Thank you Mr. President, I also want to commend Councilman Udin for bringing this forward. I read summaries of the San Jose Mercury reports and if they are true, they are truly unconscionable and deplorable and should not go unpunished. We've heard many stories about, horror stories about the CIA over the years, but this makes those seem minor if it's true and I absolutely support an investigation and to try to get to the bottom of it.

The Chair:

Thank you very much. I think as I pointed out last week though that the resolution is mild in one respect that it doesn't really amplify enough the type of insidiousness that this initiative by the CIA alleged, which I believe very much to be true. I mean, given the fact that the particular nature of crack cocaine as opposed to other drugs and it's particular impact on the amount of carnage we have both with in African American and among the community, the fact that if you are a white suburbanite and you sniff coke as opposed to doing crack cocaine, you might get one jail sentence or a slap on the wrist, but I think the insidious nature of 5 times the iail sentence in relation to crack. It really is to me, if anything smells of a genicidal attempt and aimed at the African American community in this Country in the urban areas, I don't know what is more clearly in that category than a conscious effort to create an economic activity that has brought such carnage and despair at the same time a systematic jailing of individuals within that community. It is just unbelievable and I think it is very important that the congressional investigation look broadly at these issues and I would hope that they would reach out to the urban areas and conduct some of these congressional hearings right here in Pittsburgh and around the Country so that they have a full appreciation for what the impact has been. And, the issues of reparations is not a ridiculous request, I mean, it's a conscious effort here and had a very specific and conscious impact and we need that level of assistance to really rebuild our communities and rebuild people's lives and we need the financial resources to do that. Thank you all for the support of the resolution. Any other resolution to be brought before the body. If not, moving to Presentation of Papers, Councilman Cohen. Committee on Public Safety Services.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

PRESENTATIONS

MR. COHEN PRESENTS:

No. 1041 Resolution authorizing the transfer of One Hundred Eighty-Five Thousand Dollars (\$185,000.00) from Code Account Emergency Telephone Act Trust Fund (ETATF), Index Code 253161 to the Microwave Communications System Trust Fund (MCS), Index Code 252593 for payment of costs to purchase a microwave communications system for the Department of Public Safety.

No. 1042 Resolution repealing Resolution 198, effective April 18, 1996 entitled "Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of a 9-1-1 emergency telephone system for the Emergency Operations Center, Bureau of Administration, Department of Public Safety, and providing for the payment thereof, not to exceed \$175,000.00.

No. 1043 Resolution amending Resolution No. 882, effective November 18, 1994, entitled: Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements to purchase a microwave communications system for the Emergency Operations Center and providing for the payment thereof by increasing the contract amount.

The Chair:

Councilman Cusick, Committee on Parks, Recreation, and Youth Policy.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Mr. Cusick.

Mr. Cusick:

I'm sorry Mr. President, no papers.

The Chair:

Thank you. Councilman Hertzberg, Committee on Lands, Buildings, and Procurement

Mr. Hertzberg:

Mr. President

The Chair:

Thank you Mr. Hertzberg.

MR. HERTZBERG PRESENTS:

No. 1044 Resolution Transferring the sum of Fifteen Thousand (\$15,000) Dollars from Code Account 1144, Index Code 114405, Gasoline and Diesel Oil. Department of General Services and the sum of Fifteen Thousand (\$15,000) Dollars from Code Account 1149, Index Code 114900, Tires, Tubes and Chains, Department of General Services, and transferring the sum of Twenty-five Thousand (\$25,000) Dollars from Code Account 1132-2, Index Code 113225, Telephone Services and Equipment. Department of General Services and transferring the sum of Twenty-five Thousand (\$25,000) from Code Account 1132-5, Index Code 113258, Telephone Service and Equipment, Department of General Services, to Code Account 1148. Index Code 114801, Automotive Parts, Department of General Services.

The Chair:

Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Ms. McDonald:

No new papers Mr. President.

The Chair:

Thank you Councilwoman. Councilman Onorato for Mr. O'Connor, Committee on Engineering and Construction.

Mr. Onorato:

No new papers Mr. president.

The Chair:

Thank you Mr. Onorato. Mr. Onorato, Committee on Planning, Zoning, and Land Use.

Mr. Onorato:

No new papers Mr. President.

The Chair:

Thank you. Councilman Ricciardi, Committee on Public Works, Water, and Environmental Services.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTS:

No. 1045 Resolution Amending Resolution No. 229, effective April 22, 1996, entitled "Providing for a Contract or Contracts, or the use of existing Contracts, for fence repairs, concrete repairs, asphalt greenway maintenance, repairs. installation or repairs of picnic shelters, play area improvements and major repairs and emergencies at various parks and park throughout the City facilities Pittsburgh," by increasing the total allocation by \$ 40,000.00.

No. 1046 Resolution Providing for a Contract or Contracts, or the use of existing Contracts for the purchase of landscaping/maintenance equipment for the Department of Public Works, and

providing for the payment of the cost thereof, at a cost not to exceed \$85,000.00.

No. 1047 Resolution Providing for a Contract or Contracts, or the use of existing Contracts, for street resurfacing programs such as ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling and truck rental, brick and blockstone repairs, concrete slab replacement and parks related asphalt work in CD areas throughout the City of Pittsburgh and providing for the payment of the cost thereof, not too exceed \$890,000.00.

No. 1048 Resolution Amending Section 1 of Resolution No. 364, approved May 20, 1996, effective May 23, 1996, "Granting unto the Grace entitled Memorial Presbyterian Church, 1000 Bryn Mawr Road, Pittsburgh, Pennsylvania 15219, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the right-of-way on Iowa Street in the 5th Ward, 6th Council District of the City of Pittsburgh.

No. 1049 Resolution Granting unto Point Park College, 201 Woods Street, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a total of five (5) trees and grates in a portion of the sidewalk area along Boulevard of the Allies in the 1st Ward, 6th Council District of the City of Pittsburgh.

No. 1050 Resolution Granting unto Patrick & Ursula Gordon, 636 Wymore Street, Pittsburgh, Pennsylvania 15220, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a parking pad on a portion of the right-of-way on Wymore Street in the 20th Ward, 2nd Council District of the City of Pittsburgh.

No. 1051 Resolution changing the name of Farlson Square to Elmer L. William's Square between Shetland Street and Winslow Street located in the 12th Ward, 9th Council District of the City of Pittsburgh.

No. 1052 Resolution Vacating a portion of Medhurst Street between Crane Avenue and Hill Way in the 20th Ward, 2nd Council District of the City of Pittsburgh.

No. 1053 Resolution Vacating a portion of Tara Way between Bellefonte Street and Telegraph Way in the 7th Ward, 8th Council District of the City of Pittsburgh.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

MR. UDIN PRESENTS:

No. 1054 Resolution Providing for the issuance of a \$2,376.00 warrant in favor of United Presbyterian Church, c/o

Leonard Zankel in settlement of claim for sidewalk damage due to City tree roots.

No. 1055 Resolution providing for the issuance of a warrant in the sum of \$2,500.00 to Joseph Kpakpo, c/o Jeffrey Weiss, Esquire, 1600 Law & Finance Building, 429 Fourth Avenue, Pittsburgh, PA 15219, in full and final settlement of the action filed at Court of Common Pleas are 95-2197, alleging personal injuries which were caused by a motor vehicle accident on or about November 23, 1994.

No. 1056 Resolution Providing for the issuance of a \$1,503.25 warrant in favor of Robert Armitage in settlement of claim for an accident that occurred when a City tree fell on his vehicle.

No. 1057 Resolution providing for the transfer of funds from Department of Finance Code Account 45, Health Insurance, Municipal Employees, Index Code 004507, to Parks and Recreation Special Summer Food Service Trust Fund, Index Code 270256 in the amount of \$400,000.00 (Four Hundred Thousand Dollars).

No. 1058 Resolution authorizing the City of Pittsburgh to issue a quit-claim deed for property designated as being Block 34 B, Lot 185, Old and Rapello Streets, Block 34 B, Lot 169, Rapello Street, and Block 34 B, Lot 160, rear Rapello Street in the 18th Ward, to the Pennsylvania Department of Transportation for the sum of Seven Thousand Two Hundred (\$7,200.00) Dollars. This property is located in the Saw Mill Run/Liberty Tubes Interchange Project.

No. 1059 Resolution authorizing the City of Pittsburgh to issue a quit-claim deed for property designated as being Block 34 G, part of Lot 190, Saw Mill Run Blvd. in the 18th Ward, to the Pennsylvania Department of Transportation for the sum of Eight Hundred (\$800.00) Dollars. This property is located in the Saw Mill Run/Liberty Tubes Interchange Project.

No. 1060 Resolution authorizing the City of Pittsburgh to issue a quit-claim deed for property designated as being Block 5 S, part of Lot 97, Saw Mill Run Blvd. in the 19th Ward, to the Pennsylvania Department of Transportation for the sum of Five Thousand Four Hundred (\$5,400.00) Dollars. This property is located in the Saw Mill Run/Liberty Tubes Interchange Project.

No. 1061 Resolution authorizing the sale of City of Pittsburgh owned property in the 17th Ward, 109 E. Carson Street, designated as Block 4 H, Lot 10, to Donald H. Fugent, for the sum of \$3,200.00.

No. 1062 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984. entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

No. 1063 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984. entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of

Pittsburgh/City Source Associates Sideyard Program.

No. 1064 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program

THE CHAIR PRESENTS:

No. 1065 Resolution providing for the issuance of a \$2,500.00 warrant in favor of Michael Dietrich in settlement of a claim involving the replacement of his sidewalk by the City.

Also,

No. 1066 Communication from Paul Hennigan, Director of Finance, submitting the deposits and market value of securities pledged as collateral by City Depositories as of July 31, 1996.

The Chair:

I need a motion to receive and file on the latter paper.

MR. HERTZBERG motioned to receive and file.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. Any matter to be brought before the body under Unfinished Business or Reports of Special Committees? Councilman Udin.

Mr. Udin:

Mr. President just for the information of the public and others who have been awaiting legislation on the dangerous dog public hearing that we had and my promise to bring forward resolutions concerning that matter. I want to inform members of Council and the public that I've received an opinion from the City Solicitor to the affect that according to her reading to the Pennsylvania Statute, cities are prohibited by statute from enacting the kind of dangerous dog legislation that we had proposed. The state apparently has decided to keep for itself the authority to promulgate dangerous dog legislation and in particular also has retained for itself the authority to determine any particular breed of dog as being categorized as a dangerous dog, so according to the opinion that I've received at the end of last week from the Solicitors Office, we will not be able to pass independent legislation and we'll have to abide by the State's dangerous dog legislation. I think though that here in the City of Pittsburgh, I've reviewed the state statute, it is a pretty strong piece of legislation, I think we are lacking in terms of how we implement that statute with regard to the City of Pittsburgh in all of our communities, not just public housing. So. there will be no legislation forthcoming unless some different opinion comes from the Solicitor's Office, but I think there are measures that can be taken to enforce the current laws with regard to dangerous dogs and I'll be asking the Department of Public Works, the Animal Control Division to come forward with some regulations and Administrative proposals that will show how we are going to do a better job of implementing the State law.

The Chair:

Thank you, I think we need a formal legal opinion from the Solicitor on this issue. I thought the State law, following the McKeesport Ordinance prohibited local municipalities from being breed specific, but did not necessarily preclude the local municipality from enacting ٥r strengthening the so called dog law by requiring let's say liability insurance for particular activities or types of activities that certain dogs engage in. I think we need a formal opinion from the solicitors. I also find interesting that the state law doesn't apply on Bigelow Boulevard as the Home Rule Charter does, but in this case the dog law prevails. Maybe we should Judge Strausberg on this.

Mr. Udin:

If I may, just read a section of it, just for the record I think it's important if I may just take a moment. The language in the City's proposed legislation closely resembles the language in the State law. However, the State law clearly prohibits local municipalities from enacting this type of legislation. 3PS section 459-507A specifically the State statute mandates that the provisions of the law be enforced by all municipalities except counties. section, more importantly the statute states that provisions of local ordinances related to dangerous dogs are abolished. In other words, the state has precluded local governments from enacting their own ordinances in this matter. The City of Pittsburgh must abide by the provisions of the State statute and can not enact a local ordinance on the same subject. And finally, Mr. President, in conclusion the state has chosen to preempt local governments in this area of dangerous dog legislation. Under the state law, the City of Pittsburgh is prohibited from enacting legislation on this particular subject rather the City is governed by the procedures and other Directors set forth in the State law from the City Solicitor dated September 12, 1996.

The Chair:

If you could provide everybody with a copy of that I would appreciate it.

Mr. Udin:

I will.

The Chair:

Thank you. Other comments, Councilman O'Connor.

Mr. O'Connor:

I agree with Councilman Udin. The law really ties our hands and I hope after our meeting with the Housing Authority that they are following the law there, but I'd like the State people to come down. A couple weeks ago in Hazelwood I had a call, a seven year old was walking a Pit Bull, one of the nuns was coming out of church with a small dog, it attacked the dog, 3 or 4 people had to come to the rescue. I imagine the state will wake up and start looking at harder when unfortunately some tragedy happens. So, again. I don't know if we have to ban any dogs, but there are a lot of things on the books right now and hopefully the Administration can monitor and pass the laws that we have. In other words, dogs have to be chained, if it is a dangerous dog, they have to fenced and notified, there's a lot of rules on the books right now that really aren't being followed and unfortunately, when something even minor or close to serious happens, people don't call 9-1-1. So, I think, I realize our last meeting the Administration agreed that a lot of the officials need a lot more training in this area so unfortunately though it will probably come back to us here when something happens when it's too late.

The Chair:

Thank you, again, I think we need to look into this further. I don't think we should ban any particular breed, I think that would be wrong for a lot of different reasons, but, it doesn't make any sense to me having engaged in a lot of dog battles myself in the neighborhood level that you would have to have repeated situations where property owners have to go before the district justice. I mean, how many people need to get hurt before the state law allows the District Justice or anybody else to take the appropriate action. And half the problem is not necessarily the dog, it's the particular owner and their conduct and their behavior. So, I would hope that we still try to revisit this issue and see creatively how we can deal with the issue from the neighborhood point of view.

Mr. O'Connor:

Concerning Bigelow, now that you mentioned it. Today was the worst day, my traffic, it took, my son was about 10 minutes late for school today, that I drive him everyday because of the excessive traffic day. I know that today was really bad traffic situation.

The Chair:

You should have road the Pit bus, because it's allowed to use Bigelow, nobody else is, but they open the corridor for the Pit bus which is clearly in violation of the resolutions. Your still going to see a Pit Bull on this Bigelow issue. In any event, any other discussion on either dogs, Pit Bulls, or Bigelow or Ferlo Park as the Pit students are calling it now. Moving to Reports of Committees, Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Councilman Udin.

MR. UDIN PRESENTS:

Bill No. 853.

Resolution providing for the creation of a Downtown Pittsburgh Business Improvement District for the area shown on Exhibit "A" at the behest of the Pittsburgh Downtown Partnership, a coalition of property owners, business leaders, retailers, civic organizations, and residents.

Bill No. 988.

Resolution authorizing the issuance of a warrant in favor of Playcare, Inc. in an amount not to exceed One Thousand Five Hundred Three Dollars And Seventeen Cents (\$1,503.17) in payment for consultation services for the Department

of Public Works and providing for payment thereof.

Bill No. 994.

Resolution providing for the issuance of a \$1,159.18 warrant in favor of Bell Atlantic in settlement of claim for an accident involving a City vehicle.

Bill No. 995.

Resolution providing for the issuance for a \$1,136.00 warrant in favor of Robert E. Boehme in settlement of claim for sidewalk damage due to City tree roots.

Bill No. 996.

Resolution providing for the issuance of a \$3,000.00 warrant in favor of Richard E. Whitehead in settlement of claim for an accident involving a City Police vehicle. Bill No. 997.

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.—(As Amended)

Bill No. 998.

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Bill No. 960.

An Ordinance supplementing the Pittsburgh Code, Title Two - Fiscal, Article I - Administration, Chapter 209 - Violations, Fines, Interest and Penalties.

Bill No. 961.

An Ordinance supplementing the Pittsburgh Code, Title Two - Fiscal, Article IX - Property Taxes, Chapter 263 - Real Property tax and Exemption.

Bill No. 970.

Resolution authorizing a purchase agreement or agreements with National Tax Funding, L.P. for the assignment, transfer, sale and conveyance of claims filed with respect to certain delinquent City real estate taxes and delinquent sewage charges.——(As Amended).

Bill No. 971.

Resolution authorizing a servicing agreement or agreements with Capital Asset Research Corp. Ltd. for the servicing of claims filed with respect to certain delinquent City real estate taxes and delinquent sewage charges.

Bill No. 1024.

Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

The Chair:

Is there any discussion on the bills?

Councilman Udin and then Mr. Onorato.

Mr. Udin:

Yes, I'd like to bring Council's attention to that fact that there are 2 very important bills included in the package of legislation that has been read. Before I begin though, I need to check with the Clerk, the bill on the improvement district did you read the number 983. 953 okay, thank you. I want to speak first of all in support of the effort of the Downtown to assess themselves a certain mileage that will create the resources necessary to help revitalize downtown. I think it's a balanced and fair way if there is such a method of a so called tax increase, it certainly is the fairest way that the assessment could have been distributed and I appreciate the work done on the part of all the Council Members in looking very closely at the method that was used in comparing it to other options that could have been used and arriving through their diligence at the same conclusion as the Pittsburgh Downtown Partnership that the message that was used to tax land was the fairest way to distribute It certainly did not this assessment. receive unanimous support of downtown property owners, but it did receive support in the high seventies. And it did receive the support of small and medium sized property owners downtown not just the larger owners downtown. I think that even though there is some resistance naturally and understandably to any increase and assessment. I think that the benefits of this assessment will prove over time to far out way what it costs the property owners in the additional assessment. I also wanted to speak if I may to the tax lien sale, but I'm not sure how you may want to handle the debate on this Mr. President.

The Chair:

Well, shouldn't you have a discussion on the bid or anything else, I think we are all unanimously in favor. Mr. O'Connor, on the bid.

Mr. O'Connor:

On the bid, yes, I apologize I missed the discussion and I'm, and I agree a lot with what Mr. Udin just said. Downtown, if you look. I at one time, we had, my company had 3 restaurants downtown, 6, 7 years ago and I think downtown was a lot busier, a lot safer and certainly a lot cleaner. So, I certainly commend the idea of cleaning up and fixing downtown. I have a couple problems with the bid. I asked the question at the first debate from the Economy League, and I think you asked the same question why it was decided that way and it was one of the few that they really went into. Yesterday, I had a preliminary meeting at the Convention Center at the Economy League, gave us how to fund the new Convention Center and gave us a whole options of different taxes and different bond issues and how to raise money and here we have 7 or 8. So, they really went into detail there. The reason I bring comparison up, I don't think they did their due diligence and really looked at the complete picture of how to do this and no taxes fair, I realize some people will be against it and when you say 70% of the people agree, that's 70% of the assessed value and of those, they were the people that were responded either way. When you look at the actual owners of property. if you take the owner of the big building, oppose to the owner of the little building in numbers only 20% really agreed to the tax. Now, some we couldn't find, some didn't respond and some didn't care. But, when you go one on one, it's not 70%, it's really less than 20, that has my concern. I realize that when it first came to us 3 or 4 years ago, this idea, there was a budget of 3 or 4 hundred thousand dollars, now the budget is over a million. I think there was a lot of Administration top heavy although some of it I understand is in marketing but really wasn't explained I think maybe to their credit. There are still a lot of boarded up buildings downtown, small businesses, it is a tax, whether we like it or not, small business is suffering and I think we all agree with the business privilege tax, we all work to try to alleviate it. concern of mine, I think although the idea maybe right. I think it needs a lot more work and one of the other things that maybe my final vote, alarmed me the most is what Mr. Ricciardi brought up is that South Side is already talking about it. Since that came up, I heard Oakland is talking about it and Bloomfield maybe considering it. So, if we're going to set a precedent, if Bloomfield wants it, I think everybody on that block should have a fair and equal vote. Not just by the big guy having 20% vote and the little guy having 5% vote. So, I'm afraid where we maybe setting dangerous precedent supporting this. Again, the concept of cleaning up Downtown, I and I think everybody else in this community is 100% behind, but I can't support this legislation as it's drawn up now. I see it as a still an unfair tax and I think it could be worked. I prefer the Economy League look at other options to be more fair to, especially the small business person.

The Chair:

Just in response, I think one of the, I have to beg a little bit of difference and respectfully disagree with some of your characterizations. I'm worried that if we don't vote in favor of this, the only precedent we're going to set is showing a lack of leadership on a part to really support about the only thing that's been progressive in the last few years with the downtown property owners and that is movement on their part for some self determination. There is no such thing as a free lunch. We know that if we want additional receptacles and clean up and the Ambassadors and security and a lot of the other things that are a part of this package including the marketing and promotion of the downtown partnership organization itself that there needs to be financial I think unlike the resources there. Southside or even in the original bid with East Ohio Street there is an issue under state law about whether or not you just count individual property owners or the linear footage, how the mix should be. I think through the public hearing, through at least a couple of debate at the table we came up with probably the best workable situation. It may not be a deal, but your always going to have a smaller property owner feel and in this case we're talking about a \$500.00 tax assessment in contribution as opposed to a larger will owner that pay property considerably larger sum of money. addition I think it was pointed out that some of the larger property owners, let's say USX building or some of the larger hotels already in addition to paying a larger fee also pay extra for security and clean up and already kind of built into their operations a lot of extras to help not only their property but the whole ambiance of the downtown. So, I think we're really

at a crossroads on this thing. I think you have, there is legitimacy to some of the criticisms you raise, but I'm worried that we're going to turn the clock back here and not really show the kind of support we need to show. And even with the bid dollars, and even with the good work of the Downtown Partnership there is still a whole laundry of a list of agenda items that this Council needs to work on from capital infrastructure to work on the Convention Center issue, to cultural trust, there's a whole litany of issues that are still facing this Council, but if we don't move now while there is such energy and synergy with the Downtown group, given the amount of organizing they've done to date. I think we're going to kind of miss an opportunity unfortunately. And even in the Southside, for example, or any other neighborhood it's really а self If the Southside determination issue. wants to do linear feet or if they want to do individual property owners or if they don't want to pay for receptacles but want to pay for some other activity, that's really for the property owners themselves to decide. I mean unlike any other tax where we collected and we decide how to spend it through the Administration, this is revenue that we're collecting, but we're not even going to be involved in the expenditure of the dollars. It's really a decision by the board that's been created by Downtown Partnership. So, despite some of the criticisms. I really think we are at a crossroads here on this issue of creating the bid and I would ask you to think about Councilman some of those issues. Ricciardi.

Mr. Ricciardi:

Thank you Mr. President. On this issue I respect the hard work and the leadership

put forward by the Council person Sala Udin and also appreciate all the fine work by the property owners. I also respect that the process that was put forward, I thought that was much, much discussion on that. However, I'm going to continue to abstain from the bill because I do have a few concerns.

First of all, obviously we could name it an assessment, we could name it additional revenues, but there is no begging the issue and that is it's definitely a tax increase. The issue that I've very concerned about is one of precedent at this stage in terms of other neighborhoods coming forward. The other issue that I was concerned about, that the legislation just touches upon the benchmark of 51% of support and with 51%, that's means 49% of the people can be opposed and the legislation can still come forward. And also, over the weekend, once I looked down, looked through on how the breakdown of dollars are going to be spent, besides marketing promotion security clean up, I really believe that we are giving the City of Pittsburgh, in terms of the Administration and this body, some leeway and quote in future maybe begging off some services and not providing the services that we normally need to provide because it's going to be provided through another means, a tax increase through another body. But, I'm not voting no because I understand and realize the importance of the Downtown area, the central business district as an economic generator for the entire region, not for, besides the City of Pittsburgh, but, I'm still personally grappling with the issue of one of precedent and one that has been brought forward by the Southside group just recently and unfortunately discussion and that's the reason I just

don't have enough time to study the issue. I realize the legislation has to vote and in order to respect all those involved, I will be abstaining today and not voting no however.

The Chair:

Thank you. Other discussion? Again, I just want to remind our colleagues, for the last few years we have given \$100,000.00. I have voted for a \$100,000.00 allocation out of dollars that could be going to the neighborhood or other development in order to support organizationally Downtown Partnership. It was my hope that give the fact that we have the groups themselves coming forward with the way in which they could raise some funding that we could exit out of that commitment which is not clear we even have that money to make that commitment in the future. But, if we don't support this, I mean we pretty much issued a death call to the, organizationally to the Downtown Partnership. Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I don't view this legislation in any way advocating our responsibility to Downtown and to doing everything we can to revitalize Downtown. Rather, I see it as really entering a genuine partnership with the Downtown merchants and the Downtown institutions. Downtown needs a shot in the arm and I think this business improvement district will provide it. I mean, how often do you have people coming to City Hall saying tax us, please tax us. That's in fact what has happened here. Now, admittably not 100% of the Downtown merchants have done that, but a majority have and the reason they have is because they care and they realize that there are certain things that City Government can do and there are certain things that it can't do and they have come together to say let's do it ourselves. And, it's not as if it's a new thing. Several years ago, I was in Philadelphia and I was in Downtown and saw one of the business improvement district people that they have there, it was cleaning up the streets and he had a uniform on and I went up to him and asked him directions to someplace. He was very professional and I think if we have that kind of thing here, it really will have, put a professional face on Downtown Pittsburgh. And, as far as the issue of what was fair for the assessments, there is no completely fair way of doing it. there really isn't. I studied the land based closely, I studied land plus building closely and I think it's impossible to come up with a completely equitable way of assessing property owners. I think we should give some deference to the people who are putting this business improvement district together and more over I think that the current system is as fair as any other, so I support the bill.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I think the feedback that we've had has almost been 99% positive. I'm trying, I'm struggling to remember one person at a public hearing or in correspondence to us that said, no, we don't want a business improvement district Downtown. The only difference was exactly what the assessment would be, how it would be done. That was were there were some decent and I've run numbers, balancing

different ways with some on a building, some on the land. I think when you go through the whole exercise and I believe the Economy League did go through the exercise, you find that it's, I mean for the small owner, it's really not going to make that much of a difference to start playing with those numbers. My vote for this bid is a vote of confidence to the Pittsburgh Downtown Partnership because they've done a good job. And, not only to the Administration the Pittsburgh of Downtown Partnership, but also to the individuals that have stepped forward and donated their time to get involved and not just talk and complain about the problems Downtown, but actually donate some of their own time to get involved and to finally come forward with a plan to do something about Downtown's problems and I think for business owners, one of the biggest complaints, if not the biggest complaint is parking problems and the Pittsburgh Downtown Partnership has and in the future has promised to continue advocacy efforts in the area of parking Downtown. And, I think we really need a counter weight in the area of parking, because we certainly got a large lobby that seems to be against any kind of parking and I think what Downtown needs to be suburban doing is competing with shopping malls and other suburban retailers. And, this organization is dedicated to doing that, I think we can do that and I think with this legislation we're giving them the tools to do that and I think it doesn't just help Downtown. Downtown is doing well, the Region is doing well and that includes suburbia, that includes Counties outside of Allegheny County.

The Chair:

Other discussion? Councilman Udin, last comment on this.

Mr. Udin:

Yes, I just wanted to correct, I'm sure it wasn't an intentional distortion, but I don't want any confusion and misunderstanding to be associated with the reference to Councilman O'Connor's reference to 20% support. One of the things that happens when you try to assess such a large group of people or try to pull their opinion about support or not support of a particular issue is that a certain segment of the population don't even respond and so it's unfair to measure the number of those who did respond against the whole universe. You have to look at the ones who responded, the ones who did not respond either are, you have to assume, are either in support of it or don't care to participate in the debate. But, of the 353 property owners Downtown, 230 of them did respond. And, of the 230 who responded only 34 property owners voted no. The rest were in support. So, it is a self assessment although strongly opposed by a small minority, it has received overwhelming support, not only of the assessed value, but of the total number of property owners who did bother to respond.

The Chair:

Just. my last comment, I think part of the last, the group of people that I've found to be most critical were probably restaurant owners of the calls that I've received and I think their criticism really goes to a heart of another issue and that is a development issue. And that is, whether or not we're going to finally resolve the expansion of the Convention Center as opposed to this Northshore Baseball Stadium. I think that

if they realize that we're actually going to do some of the proper things that we need to do in terms of helping them out as a business class, I think they would readily be in support of this proposal, but this Council is extremely accessible by phone. all the public hearings and meetings we've had on this. I mean, I think most of us have gotten nothing but maybe 95% of letters from property owners in favor and other than a few criticisms, the few that I got, we're actually just inquiring how is the money going to be spent and who is making the decision and I encouraged them to become Board members and get involved with the Partnership. Any other discussion? Councilman O'Connor on a closing comment.

Mr. O'Connor:

We're not arguing numbers and that. I think the point is, I certainly support the mission and I commend the work although it took a long time to do things. It took 2 years to get garbage cans, and I've discussed that with the board members. and if their going to be more efficient than government, they have to start acting and running it like a business and not the way it's been run the last 2 years. certainly support that and again. I think the small business person has to be included and I would hope that they would do that. Somehow, small business people are just too busy running their business to come to. whether it be Council meetings or board meetings and the big guy kind of has more clout. So, that's some of the problems I have, if it works right and they do it well okay, but I'm also, one of the main concerns is how we count if we're going to go to Southside and tax them there, I don't want that small minority over there to control it all and everybody should have an equal vote, so...

The Chair:

Well, again, I just stress that each and every bid is particularly unique to whatever the neighborhood is. If the Southside collectively wants to decide it's 50% or linear fee, that's their decision.

Mr. O'Connor:

You know the way the activists come down from any neighborhood, all neighborhoods, they kind of start it and Joe Smith comes down at the last minute and says, why didn't you tell me and that's some of the concerns. Now, I realize this will be...

The Chair:

The biggest activist I know is Mr. Ricciardi right there from the Southside and...

Mr. O'Connor:

Well, you mention Southside, he'll be paying attention, so...

The Chair:

Yours is actually the final comment on this. Councilman Ricciardi.

Mr. Ricciardi:

Yeah, Mr. O'Connor's last response and I usually don't make my comments for the viewing audience, but what we're talking about is the business district in terms of the East Carson Street Corridor that might want to be involved in an additional tax

increase or an assessment and not any residential properties. What I'm trying to do is cut off any phone calls I might be getting this afternoon regarding tax increase on residential properties, that is not going to occur, it will not occur. Thank you.

Mr. O'Connor:

Let me ask one more question before final vote. When is this to be reviewed that it's successful or non-successful?

Mr. Hertzberg:

They will have a budget review in a 5 year sunset provision in there.

The Chair:

We'd have to legally vote on this issue at the sunset, but, basically we're relying on the leadership of the group that's been put together, the oversight group by the board of the Downtown Partnership as well Councilman Udin's on that board and I'm sure any colleague that wants to participate can be helpful on the review board.

Mr. O'Connor:

When is the review, 1 year, 2 years that they will say this is working well, or it's not?

Mr. Udin:

If I may Mr. President? There's an annual report that is issued by the Downtown Partnership every year and the annual report of the Partnership will include detailed report and evaluation of the revenues generated by the business improvement district. And, there will be

reports coming from this Councilman to the rest of Council on a regular basis as a member of that board of the business improvement district. Otherwise, the only other review period will be the 5 year sunset that's attached to it.

Mr. O'Connor:

In other words, if the City backs off in it's services, if I'm saying, they have backed off already, but if they continue to backing off services for Downtown and the PDP isn't getting their support, what alternatives do they have? Can they come back to Council and say this isn't working? Can we stop it, can they stop it, what happens? If the money isn't being well spent...

The Chair:

Well, several of us made that point specifically, that no way should this assessment be an opportunity for the City to just say we're no longer going to obligate ourselves between public works or environmental services at the least.

Mr. O'Connor:

Remember the last time when we approved the Lazarus money, 2 weeks later we were told the swimming pools were going to close. So, I don't have a lot of confidence in some of the things that are happening now. So, what congress do we have, and the PDP if the City backs off, what alternative do they have? Come back to us and end this tax?

The Chair:

All right, the only difference is, unlike...

Mr. O'Connor:

Or is it a 5 year deal that we're stuck no matter what happens, or whatever, their stuck?

The Chair:

Councilman Onorato.

Mr. Onorato:

I just want to make it clear as one vote for the bid. The only reason I'm supporting this is because the whole initiative was generated from the business owners. They put the plan together and approached us with the idea. That means, the same individuals, this goes to Councilman O'Connor's concern, could approach us next year and say this has been a disaster. And I'm willing to listen and I'm willing to repeal anything that doesn't work. The fact that they put it together, and I know we've heard criticisms here many times on Council that we don't ask for the input of the business people before we vote on something. This is a class example where the business people actually came to us and said, we studied this, this is what will help us, will you do this for us. And, I'm giving them a vote of confidence. That's all I'm doing today. If they want to come back and reevaluate it 1 year, 2 years, 5 years, they have that prerogative and I guarantee you if those same numbers that Councilman Udin just stated flipped and came back saying repeal it, they're going to have receptive body incidence I'm sure.

The Chair:

Yeah, just so we're historically correct here on this point, because I don't want to miss. This Council itself as far back as Mayor Caliguirri and Mayor Masloff, when we gave and appropriation to the Partnership, myself included, we made it clear, that at some point we want them to get organized and come back for the bid. So, we actually gave them, we asked them to pursue this strategically. City planning, previous Mayor's, previous Council's, we actually tagged our commitment of \$100,000.00 at some point hoping they were going to get there act together and do this. So, we have repeatedly said, we're going to help you out now, but we want you to come back, organize a business, improve a district and start raising some additional issues. So, I very much view this as kind of a commitment that previous Council's have made to this Downtown initiative.

Mr. O'Connor:

So your saying, if it doesn't work it could be repealed next year, 2 years from now?

The Chair:

It has the ability to be repealed, yes, on a practical level it would take the leadership of the Partnership to come back to us.

Mr. O'Connor:

And, for whatever reason, it may not be their fault, it may be the City, you know, the City slows down it's services and it cuts back and their stuck holding the bag.

The Chair:

This Council will be the first group to hear it if there's that initiative. This is some bait and switch by the Administration to raise the money and then...

Mr. O'Connor:

Well, it's alarming when all of a sudden Southside, Oakland, Bloomfield are hearing the same rumlicks, you know. So, that's what's making me nervous and you know once it comes to our neighborhoods than we got a whole new ball game and we're chasing small business out now.

The Chair:

I think those are very strong points you are making.

Mr. Ricciardi:

It would be my understanding also Mr. Ferlo when we have the tax hearing and we vote for the tax rates that this will be part of that vote. It would need to be part of that vote in order to give the mandate and the directive to the Finance Department. So, this would come up for review every year by the way. It should anyway.

The Chair:

Actually the legislation says new taxes. Once we vote on this it will be in place. There will not be an annual vote and review.

Mr. Ricciardi:

Every year we have to vote on the same, the identical tax rate though.

The Chair:

I don't believe we vote each and every time on this bid once we created it. We didn't on East Ohio Street, so.

Mr. Ricciardi:

Okay.

The Chair:

Councilman Udin.

Mr. Udin:

Are we going to vote on these bills separately or can we go to the tax lien discussion?

The Chair:

Any other discussion on the business improvement district? And just on your point Mr. O'Connor, I mean, if there is some way that we need to amend this or even have some fuller way in which Council will have some oversight in addition to some colleagues being on the board. Quarterly meeting, quarterly report, I mean, this, you know we're, we should certainly look at that if that's one of your concerns.

Mr. O'Connor:

Well, not the, I do have concerns but I do support the PDP. I think they've done a lot of good things. I don't mean to sound negative here since, before I go into any further discussions, since there are options to maybe amend or work with them on furthermost details. I'm more concerned about the details so I won't vote no, I'll abstain because I do support their initiatives.

The Chair:

And, just on your concern, I do think it's appropriate. I think maybe during the annual budget proceedings, we just as much interview Department Directors, I think we need to allot a couple hours of

time to meet with the leadership of the Downtown Partnership and go over you know, what has been the revenue collected, what are the goals and objectives and kind of use the budget proceedings on an annual basis as a way of interacting with the Partnership and reviewing their goals and objectives for the incoming year. So, I would like to offer that as a suggestion to Mr. Udin. Other discussion now on the tax lien and or other matters under Finance and the Budget, Councilman Udin and then Mr. Onorato.

Mr. Udin:

On the tax lien sale, again, I think that I'd like to have my comments brought forward from the last Wednesday's Standing Committee Meeting on this matter and only point out that I think that this is a very important and large debt that we are taking. It's in some way kind of stepping off into the dark because we don't know all of the repercussions of what is to come as a result of our actions today in centralizing such a large amount of the control of such a large amount of property in the hands of one profit making privately owned company. But given, I also want to state. I should state that I think that Council should never again allow itself to be rushed into a decision of such important implications. If it's that important than it should be important enough to be brought to Council in time for Council to deliberate until we are comfortable that we understand all the implications in that we have anticipated as many pitfalls as we can anticipate. I really do feel in many ways kind of up against the wall with this time frame and as to rush through such complex legislation with such far reaching implications. Be

that as it may, there are efforts that have been made to try to amend the contract and amend the legislation to make it, to build in safeguards and I am comfortable that the Finance Department and Administration has been sensitive to and has accommodated many of the concerns that I have raised and I'm also appreciative of work done by Councilman Onorato since the last piece of legislation in an effort to build in further safeguards. understand that he will be presenting an amendment which I will be in support of, and I would ask all of my colleagues to support both the amendment and the amended resolution. Thank you.

The Chair:

Councilman Onorato.

Mr. Onorato:

Mr. President, I have the amendment here and I'll have Dorrie in my office to pass it out to everyone. The amendment, before I read it, I just want to state of why I'm presenting it since we had 2 amendments last week. One, I was not happy with the process and especially with the selection of the properties and I think Councilman Udin was absolutely right. The way that it was presented to Council and the time frame and the rushing that took place I think caused a lot of this. Because we didn't have enough time to answer the questions, and even after our preliminary vote, I was finding out more information that I didn't know after 2 rounds of Last week I voted for 2 discussion. different amendments, first mine and then 1 actually to repeal mine because it looked to me that property being pulled were being pulled for favors in that we are actually trying to help some property

owners. I never looked at it from the angle that these properties that we're pulling is actually going to deny some of these problem landlords that we know a payment plan of which they've either been on and have violated or we don't want to give them one right now because they're just hurting us. So, I try to find some kind of compromise knowing this isn't appropriate situation because of the time frame we're under. And, what I did is I have an amendment I'd like to read now which is what I can live with and I want to thank at least 4 members who have co sponsored it, myself, Councilman Cohen, Councilman Udin, and Councilwoman McDonald and I understand there is other support. But, the amendment will read, this would actually delete section 5 and be replaced with new section 5. The new section 5 would read, "The Community Development Corporation, properties exclusion shall be withheld from the original sale and placed in one of the 4 Treasury sales of 1997. The CDC's shall present their plan for Development and Financing, take legal title and assume the responsibility for payment of taxes. If the CDC's fails to present a development and financing plan, take legal title, or assume the responsibility for the payment of taxes after the 90 day redemption period, than the tax lien shall be sold to capital assets." I make a motion for discussion.

MR. O'CONNOR moved to adopt the motion for discussion.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Onorato:

The idea behind this whole amendment is that we recognize that we are going to allow community groups to pull some properties from the original sale. At the same time we're going to hold the community groups responsible, they're not pulling them just for the sake of pulling them. They have to have a plan and we all know that there's some community groups have to do a better job than others. Some are more sophisticated, some don't have the resources, but this will shake out the players. We're giving them basically 12 months. We're telling the Director of Finance that any property pulled, has to be in a Treasury sale in 1997. One of the four, but it has to be in the Treasury sale. The problem in the past is that we don't put all the properties in the Treasury sale, it's a wish list and we pick and choose. This is requiring all of them to go into Treasury sale. The City will not take ownership of it. What will happen is during the Treasury sale there is a 90 day redemption period for someone to step forward, the property owners, which usually doesn't happen. But, in that 90 days, the community groups at that point, that have asked these to be withheld, have show through requirements mentioned. The plan, take legal title, and be willing to pay the taxes, future taxes on the property. If they can't meet that obligation in 1997 and after the 90 day period of the sale of 1997, this lien then goes directly to the capital asset, the next sale. So, instead of doing all of them today, because of what Councilman Hertzberg supports, and philosophically, I really don't disagree with that, this is basically to at least allow some of the legitimate groups out there that have a good plan in place an opportunity to prove they have it. I have no problem supporting that. We've been doing this for how many

years in this City, I'm willing to give 12 months to a community group to prove and show what they want to do and have an offer for these types of development and I hope we have support for it.

The Chair:

Let me, I'd like to just raise a procedural point, not in anyway to undermine final action in your amendment. But, I really think we need another round 3 in the Standing Committee on this bill. I don't necessarily object to your amendment, I spoke to you earlier today. I voted no last and with or without amendment, if the vote comes today, I'm still going to vote no. I think there is still several outstanding issues in addition to the issues that your raising with your amendment and I would like procedurally suggest that we have one more opportunity tomorrow Standing Committee to discuss your amendment and related issues and that we allow some of the representatives of the Community Development Groups and or Pittsburgh Partnership and other interested parties and opportunity to speak to some of these issues at the table. In response though to your amendment, the problems that I have are still, I don't mind walking in the dark, I don't want to walk off the gang plank. And there is still unresolved issues. I do not understand why some whole wards are left out of this so called exclusionary list. I am also very concerned, does being on this list mean that somehow you are giving super priority for development funds by the Murphy or URA Administration as opposed to other neighborhoods and wards that aren't listed? That's an ambiguous question that I do not fully understand. I will admit, that I do not understand how this list, the methodology of this list was created. There's 8, there's 13 properties listed here in East Liberty, Highland Park, 11th Ward, and 109 central Northside fine view. Is there some correlation between the 2 neighborhoods in terms of what the CDC's are actually having on line or is it that there is more of a commitment to do renovation and rehabing of the Northside, versus the East end? I don't know that, because this list is very dispirit, it's very unclear of how the names got on this list. If we have bad landlords and they are absentee, I would hope that we move quickly for a closure on their property. Whether we transfer the property to capital assets or we maintain it ourselves. And, just 2 other issues. I don't think we should let this bill go by until we create some structure to have advisory or oversight committee by the people that, some of who are in this room and Council, which I don't think we've created that provision in this bill. Maybe some people feel they have personally the assurance, I don't. And, secondly, we are generating more revenue than the 4 million we've budgeted and I think before this bill leaves the table. I'd like to see a 1 million dollar development fund that will assist in doing something with these properties if we are going to create and exclusionary list. So, for all those reasons, I don't object to your amendment, but if the votes today, I'm going to vote no on the final bill because to me it leaves. I have unresolved issues. And, I respect the CDC's and their leadership, but, you know, I'm here representing all of the residents in my Council District, not just groups and or organizations that are part of the Development Community. And...

Mr. Onorato:

On the procedural point of view...

The Chair:

On those procedural reservations if we could have one last shot at this tomorrow, I will allow some of the delegates that are here today an opportunity to speak at the table, to go over some of these development issues. I'm not asking for delay, I'm not trying to be an obstructionist, I don't necessarily object to your amendment. I just think there are some unresolved issues that I would like one last shot, round 3 at Standing Committee. Councilman Onorato.

Mr. Onorato:

On point of procedure, I'm not sure that it has to go back, but I think it's something that obviously 5 of us have to decide...

The Chair:

Excuse me Councilman, I didn't clarify, I'm saying that we would recess this meeting today, meet tomorrow, vote in final form prior to the 30th request by the Administration.

Mr. Onorato:

I would ask that as Chairman of today's meeting that we vote, I have another amendment to, up and down and then deal with that issue after the amendments.

The Chair:

Yeah, I'm not curtailing debate or a vote, I'm just offering a procedural point. Even if people vote for your amendment, I still believe there are unresolved issues. Councilman Udin.

Mr. Udin:

Yeah, I just want to speak in favor of the procedural point because I think that it's important that we are all comfortable and supportive of the whole endeavor. I think that if anybody has reservations, we should not be so pushed by some time frame, that we should make those decisions without having those reservations addressed. It has been hinted at various times that a delay in a decision might affect the price, but, I don't think that that is so. I think that the capital assets has backed off of that and is not saying that a change in time. But, the procedure that you are proposing won't even affect the date, so I just speak in support of the recommendation that you are making for another round of, with the recess meeting today, and then a final vote tomorrow at the end of the Standing Committee Meeting.

The Chair:

Councilwoman McDonald. Ms. McDonald:

Yes, and Councilman Ferlo, I would go along with recessing the meeting so that we can discuss this one more time and take final action. I received a number of phone calls from people within my district, basically CDC asking what in the world was going on, as well as residents who were very confused, very scared as to, am I going to lose my property because these guys are just going to come in and just nab it. There's, not only do we have a lot of unanswered questions, but, some people say what the heck were you guys doing and I told them, I don't think we all knew. I think we have unanswered questions that

we need to get resolved. I'm not above you know saying no, I don't know. So, a lot of those I don't knows do need to be answered and the general public needs to I guess in a very common sense straight forward way understand what really is going on with this and I have no problem with one more round. I. Councilman Onorato's amendment last week which is basically the same. I supported that amendment last week. My concern is that I don't want people just because you know they just have this idea, well I want this property pulled. You know, some CDC thing and their going to develop it and if their not serious, I don't want it pulled. You have to be serious about developing it. I support the amendment because his amendment means to me that it's going to separate people who are serious about the development of those particular parcels that were pulled versus those that it was just a fluke, it was just some kind of wish that they had. This amendment will serious separate from not development. And, as far as the disparity, yeah, there is disparity, but I'm sure that there's got to be some justification on why the numbers are so different from ward to ward. Maybe Council needs to be more fully informed as to what is going on. Are there any developments. I don't care if we have details. but are there developments going on. Why is there such disparity in the numbers. comfortable as long as we got justification. I really don't care what the wards and Council people and CDC's what their pulling, I just want to make sure that it is something that is going to be a reality. So, again, it's just to make sure that we're comfortable and that we understand what really is going on in terms of pulling these parcels.

The Chair:

Councilman Hertzberg and then Mr. Cohen.

Mr. Hertzberg:

Thank you, Mr. President, I ask for my comments to be brought forward not only from last Wednesday, but from the previous Wednesday when this was also on the agenda and I don't feel rushed at all on this. I'm ready to vote whenever the majority of Council is ready to vote and I appreciate the activities of our Community Development Corporations as much as anyone. They're hard working volunteers, dedicated to the best interest of their neighborhoods. I think the appearance here, and it's also been brought up at our recent public hearing, I think the appearance that this maneuver, this exclusionary amendment that's being proposed here is a terrible appearance and I think it actually has the affect of making Community Development our Corporations look bad instead of looking good like they should look. It creates an appearance that they are receiving special treatment and that the well connected few are able to pull the properties. It's pitting them, a number of them against a number Community Development other Corporations or Community Organizations that may have not been represented in the umbrella group that met and developed this list. It's pitting them against everyone else in the entire City that might have an interest in the property down the road. Pitting people that may live next to a lot that they would like to have for their side vard. Putting them against a business that might like to expand and have the business that's right next to them or I guess we could wait a little bit longer maybe and

wait for input from absolutely everybody that's out there and put everybody on an equal footing. And, I'll tell you what the result will be, we won't sell any liens, because nobody wants them sold. I mean, there's always going to be someone out there with a problem with a particular property. We've already set aside through this legislation 1 million dollars of these funds for the specific purpose of repurchasing tax liens for Community Development Corporations and anyone else out there that can go through the process and show that they are truly interested and truly have the ability to acquire these properties. I think that's enough. The grand total on this list is \$2,651,769.00 that we would receive were we not to do this. I think Councilman Onorato's going to say well, you know, a year down the road, you know they got to make a move or we're going to sell these things. Well, you know past performance has shown otherwise and I submit that past performance has got us in this position where we are looking at totals of 30 and 40 million dollars. The problem is the kind of discretion here to exclude properties has gotten us into trouble. We picked and choosed for years and years what properties we're going to take in effort to collect taxes on and what properties we want to put through the Treasure sale process and I'm for cutting off my amendment, cut it off on September the 15th. I think there is so many misconceptions that are out there about what is going on here. We are not selling properties. The City does not own these properties, Community Development Corporations don't own these properties. We are selling tax liens. Maybe if you have a mortgage on your house, you own a home and you are paying your mortgage today to PNC and PNC sells your mortgage to Chemical Bank and you make your payments to Chemical Bank, that is what's going on here. We have, people have an obligation to pay us a tax, we are transferring that obligation to someone else in return for their payment here. We are not selling the properties here. I hate to say this but there's 2.6 million dollars here which I know we're going to be scrapping for in the budget this year and in the budget next year, we all know what the problems have been. Problems trying to keep open pools, trying to continue to maintain our parks, our Community Enrichment Program, our Public Safety, and other services that we want to continue to provide at the levels we're providing today. So, I can't vote for this amendment.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you Mr. President there is...

The Chair:

Remember please that the final vote that we have right now has already been amended contrary to Mr. Onorato's amendment.

Mr. Cohen:

I remember, I want to go back to the way we amended it the first time before we took away the amendment that we voted for last Wednesday, which is now back on the table. I'm glad that it's so clear. There are really 2 issues on the table right now. One is whether we should recommit this bill or recess this meeting to have yet

another discussion on it and the other of course the issue of Councilman Onorato's amendment. Let me address the first one first, I agree with Councilman Hertzberg on this one point, not on the other that I do not feel rushed on this bill. I am prepared to vote on it today. I have had numerous. numerous discussions and so has this Council. Richard Fease from Finance came to my office, I'm sure all the other offices, I think it was back in June, to first inform me of this bill. Paul Hennigan, the Director of Finance came in August to lay it out in writing. We had 2 long Committee meetings on this where all of us were able to ask any question we wanted to and a public hearing which frankly, not that many Council Members showed up for, but we did have a public hearing on this. I'm ready to vote on it. So, we will see what Council's decision is on that. And, I do believe as a whole that this is a good bill. That we must approve this bill because of our budget crisis and that's really what this comes down to as long as it's done in a fair way. What happened last Wednesday, in the end I believe was not a fair way and that's where I part company with Councilman Hertzberg although I certainly respect his expertise in this area. The list that was put together was not put together by the Administration as we all know. I mean there's been some implication, some innuendo's here that this was Administration list. It was put together by all of the CDC's who were given an opportunity to Community Development Corporations, given an opportunity to look at the entire list of liens and pull those that they believed met with their development plans, their neighborhood strategy. supported that process, I think it was a good process and I think that yes we should give the CDC's the opportunity to do that because they are the groups that are out there and every, well unfortunately not every neighborhood, but I wish it was, but in most of the neighborhoods who are developing a neighborhood strategy. And, because of that, because they have come together in a volunteer way to do that, yes, I think it was a good thing to do to give them the opportunity to review these liens. Once that happened for Council to have, in my view, reneged on that, promised by the Administration to allow them to look at the liens was misguided and I would like to go back to the original process and I believe that Councilman Onorato's bill reflects that although it does put a restriction on it and I think it's a fair restriction and that is to the CDC's, okay, you pulled these liens, you believe that they comport with your neighborhood strategy and with your future plans, our future plans, great, we'll give you one year. And, that's what this amendment I believe that it's fair and does. reasonable, but at the same time says you've got one year to put together the plan, if you can't during that period of time than these properties will be sold. And, just in response to Councilman Hertzberg's point about 2.6 million dollars in liens, yes liens, not properties, of an important point, it's not going to affect our budget, because remember these liens are being sold in, being sold for approximately 16 million dollars, but that 16 million dollars is not being applied to our 1997 budget. Remember, it's being done in 2 I believe that 4 million is packages. coming into the 1997 budget and another 3-4 million in the 1998 budget. We still will have even with these pulled exclusions, we still will have that 4 million dollars applied in the 1997 budget. So, to say that this will have immediate budget implications, I think is wrong. So, for all

those reasons, I suggest that we support Councilman Onorato's bill, we support the CDC's and move forward.

The Chair:

Thank you, and again the bill is not a bill, it's an amendment by Mr. Onorato. Mr. Onorato and then Mr. Udin.

Mr. Onorato:

I just want to clarify a few things. One, I agree with about 90% of what Councilman Hertzberg stated earlier, but I

think it's important that I clear up something which I view with all do respect as little distortion of the facts. Selling these liens is not coming without a price. We make it sound like we're selling these and somebody's going to go out there and just collect them for us and our problems are gone. This company isn't doing this because they are big people and they have a big heart and they just want to help the City. There is a price for selling these liens and the price is, we're giving up control. We're giving up a lot of control and we're tacking on another lien by this company. We talked over and over again at the last 2 meetings about dogs, about properties that are dogs. The reason we are dealing with CDC's right now is because the private sector has proven, they don't want to deal in certain areas. We have Treasury sales every quarter, every year in this City and properties go there, property owner, the person that owns it does not pay the taxes and the City decides not to take it and it sits in limbo. I believe that we can't just ignore the fact that there are some CDC's that are doing some good jobs. All that I know is the last several ribbon cuttings that I've had in my district didn't come from the private sector, it came from the public and private sector partnership. It came from CDC's dealing with the City and dealing with some private developers. If the private developers had to do it on their own, they wouldn't do it because it's a bad decision. bad business decision unfortunately if we are going to rely everything on bottom line and profit, well than you are going to write off certain neighborhoods in this City, I could tell you right now. Because the liens that are on these properties are way to high for what their worth. No one in their right mind is going to come in and buy them and do something with them and we'll have a Treasury sale and your still not going to have anybody who wants them. This at least allows somebody in the CDC form to give them 12 months to see if they have a legitimate plan. I'm not crazy over how these 1,200 were picked, I'm not crazy over the size of the number. concerned that if we don't get any opportunity to exclude now, we act like we're getting this 16 million, half of that money or a large percentage of that money has to be set aside because we're going to have to buy some of these back. And, what happens when the 3 years are up? The 3 years are up and the dogs are still there and they, remember they said this at the testimony, capital assets does not have to buy the property. They only are committed to paying the taxes for the 3 year period over the length of this agreement. At the end of that 3 years, we're faced with the same problems and maybe even worse. We're going to have some propertIES that we might want to get our hands on. Not only do we have the original liens that were on them, we have capital assets liens on them plus their interest payment and if we decide we want to do a deal, we got to pay even more money to do the deal. I'm not ashamed that I'm willing to support certain CD's that have the credibility to do it, to do the deal. I'm the first one to admit that certain neighborhoods are even blocked out of that scenario because they don't have the right CDC's covering their areas. That's why, if you recall, the URA developed their own CDC. The idea of that was to move into the neighborhood that didn't have a CDC to represent them. I have neighborhoods that aren't covered by CDC's in my district. I have some neighborhoods in my district that have great sophisticated CDC's. It's not a perfect system, but to sit here and pretend that the sale is the answer to all of our problems, that isn't true either. So, I'm trying to come up with some kind of high bred situation where maybe we could have a little bit of both. The best of both worlds, recognizing that we got to deal with the problems in 3 years when the agreements over. I bet you that out of these 1,247, I wouldn't be surprised if half of these properties go to capital assets after the CDC's have to look at their portfolio and come up with the money and their They only got 2 days to review thousands and thousands of properties. don't have that sophistication, where they can sit down and review every property and determine at that moment that this is the deal we can make. At least give them 12 months to come up with that scenario. other issue which I thought really distorted the facts a little bit, this is not picking out properties because we don't want to go after them, it's just the opposite. There's some people on this list that's being pulled that I don't want to go to capital assets because I don't want them to get a payment plan. They've had payment plans, they violated payment plans and wreaked as cancer throughout my district because they know how to beat the system. The problem in the past has been, the City didn't have a uniform policy of throwing these properties into the Treasury sale. That's where they were picking and choosing. My amendment makes it very clear, every single property goes to the Treasury sale. There is no exclusion, for anyone listening, I want to make it clear, these properties are not being sold but their all. I want to stress the word all going to a Treasury sale. These property owners have no more payment plan option. Their joy ride in the City is over. And if the amendment passes, what we have is 2 scenario's. The majority of the property is being sold, I'm sorry, the majority of the liens being sold, and the property owners basically have to deal with capital assets approaching them for payment plans or trying to sell the liens or go collect the liens from these owners, or the smaller group, the 1,247 that won't be sold to liens and then we'll go after them ourselves, which is the way we used to do it through a Treasury sale. So, all the properties are being attacked by the City just under 2 ways in this scenario as opposed to just selling the liens. Now, we have a 2 prong approach here and I hope we get the opportunity. The issue of recommitting for tomorrow. I'm still not sure that that's going to accomplish anything. I don't know if that is going to change anything either. I think we are going to end up exactly where we are today with these types of amendments, but I'll look forward to my colleagues discussion on that, but I hope we call the vote on the amendment.

The Chair:

And again, I don't disagree with what you just characterized. My problem is that

90% of my Council District is not in this exclusionary list. Councilman Udin.

Mr. Udin:

Yes, a couple comments Mr. President. One, sometimes we are rather careless I think with our innuendo and perhaps because we don't appreciate the weight that it sometimes carried with careless accusations of sinister plots on the part of the CDC's to exclude certain properties from the sale of the liens. What happened was the PCRG, they were in the same rush that we were in, were asked to identify or they asked the member Community Development Corporations to identify properties that they had on their, in their strategic plan that they had actually had some plans for development up and they submitted those lists. Those lists didn't pit them against anybody, there is nothing about this list that prevents anybody else coming forward with a list of properties that could be excluded including members of Council. So, if you have properties within your Council District that you are aware of, or that any other community group is aware of that should be listed for the future development and the group is willing to subject it to the same conditions as Mr. Onorato pointed out in his amendment, then we should just add those to the list. There is nothing preventing us from doing that, except our own lack of initiative. If we have those properties, we should bring them forward and we should stop accusing either directly or indirectly Community Development Corporations of some kind of plot or scheme unless we have some information that suggests that.

Secondly, the reason why certain communities have a greater number of properties on this list than others, is because certain communities have suffered from greater disinvestment over the years than other communities. We just had a group of people over 60-70 people this past weekend that went through the Hill District cleaning up 39 empty lots that had become overgrown and strewn with litter. Just blocks upon blocks of empty lots that you'll see if you drive throughout the Hill District. Other communities don't have that same kind of disinvestment. So, there are large numbers of properties in the Hill District and in Homewood and in other communities that are empty boarded up properties that are vacant abandoned lots that nobody is interested in and we have the Community Development Corporations willing to step forward to try to develop them to get them back on the tax role an to build these communities. Don't criticize and penalize them because they have been asked by us to step forward and help develop their communities. So, I support the amendment because I think it moves us forward. I also support the President's suggestion of bringing this back up again tomorrow because if there are Council Members who want to add specific properties, if their are other community development organizations who have specific properties and their willing to subject them to Onorato's amendment, then let them bring those properties forward and let us stop this careless innuendo. Thank you.

The Chair:

Other discussion? Councilman Ricciardi.

Mr. Ricciardi:

Thank you, thank you very much. First of all, I oppose recommittal. I believe this issue of selling tax liens to capital assets or any other company has been around for

several months now. I believe it's been debated in depth and I'm prepared to vote for it today.

Number 2, I supported Mr. Hertzberg's amendment and I continue to support that and will oppose the one brought forward by Mr. Onorato even though well intention.

I have grave concern about this list here. It's not fair and it's not equitable. Please keep in mind that Director Hennigan was at the table and he admitted that PCRG to their credit obviously has 100% effort in contacting all the CDC's, but not 100% success. So, Mr. Ferlo goes back to that I agree with you 100% and that is, this is an exclusionary list, it's an elitist list, not all CDC's or community groups have taken part in it. Plus, Mr. Hertzberg raises a very important point, we have other developers out there that have not used public funds, have been very successful in development and I can name a host of them in my area. Should we also take them into account? They have a track record, they have been successful, they have not used public dollars but they've had development. So, the issue is then, if we are willing to sit and entertain CDC's request, do we cut it off there or do we go to the private sector? I believe if we are going to entertain this list, we have to go another step. Now, if you do that, we're getting our eye off the ball. I think this whole thing, the whole issue, hopefully the goal was one of realizing that a large number of residents and property owners weren't paying their fair share of taxes here in the City of Pittsburgh. Yes, we have understanding for them, we have appreciation for those that have run into some problems. But, we also realize that it was unfair. That continuing along that

path cost 26 million dollars of past taxes not to be paid. Same as water delinquents. once we got City Hall out of the issue or out of the loop, the Pittsburgh Water and Sewer Authority has collected millions of dollars. This body, this Administration, Administrations. previous previous beaurocrats didn't have that success. So. I had believed that the real issue here was to get people to pay their taxes, to pay their fair share. Now, others have every right and I really respect that right to try to add an extra component. That component was one of development. Now, if we are going to add that extra component, we're going down a very, very difficult path because then it's not fair, it's not been equitable, it's not been fair or equitable to the private sector and now should maybe have part of this list and I will tell my colleagues and I will take that challenge by Mr. Udin that if this amendment passes, I personally, Gene Ricciardi will be coming with a host of properties forward. And, I'll add mine to the list of 1,247. But, getting back, if I just may summarize, colleagues, this whole issue was to collect back taxes. If we're going to have the development component, we have to be fair, we have to be equitable. And, Mr. Ferlo, here is what I was thinking also and I mentioned this to you and you mentioned it more eloquently than I did. I see, and I mentioned this to Mr. Onorato, the great pressure that the URA is going to be under for supporting the development plans over others. For example, when community groups come forward and pick any neighborhood, any CDC, and they go to URA, they go to the Administration and they state that if you don't help us, we're going to lose these to the Treasury sale. So, where's the objectivity to real policy planning or development planning? Trust me, I spoke to a staff member. The pressure is going to be unbelievable that they are going to have to save these properties that were on this list and I'm saying, just keep our eye on the ball that the whole thing was to collect past taxes, if anyone wants to add a development issue to it, they can. And, this part Mr. Hertzberg, I wish you would talk to because your background is much more detailed to mine when it comes to development of property. But, Alan, and if I may I'm going to defer to Alan with my time. But, Alan, you had stated also, this is not going to take the CDC's out of the process. That they're still, it's going to be an additional cost of 1% a month, but can you just explain that one more time even for myself and others. No objection Mr. Ferlo? Thank you.

Mr. Hertzberg:

To comment on that as I've mentioned...

Mr. Ferlo:

90% of my district is not on the list.

Mr. Hertzberg:

Well, I wouldn't be concerned Mr. President. I would not be concerned, in fact you probably have cause to be The CDC's without this thankful. amendment will have 2 mechanisms to still be able to acquire these properties. Either through the 1 million dollars that we've already allocated to a fund being held by the URA and through the process to be reacquired from capital assets and put through the same process or number 2, by capital assets who is unable to collect on those tax liens putting them up for a tax sale. I don't want to repeat myself too much, I think I've gone through that before, but, once again and just one final comment the timing of this and the impact on the budget, half of this money is payable in 1996, this year, upon the signing of the agreement, the other half is payable April 1st, 1997. We have the option to continue this into the future, but I would not expect this kind of infusion because we're working with so many past years where in the future we'll just be dealing with one year at a time.

Mr. Ricciardi:

I'll just end with this note and then I'll give up the floor. And I think Mr. Hertzberg raised that, but, you know we're going to have some very difficult issues and hopefully that this Administration and this body is not going to entertain lay off or elimination of positions because these dollars could have saved those positions, could have saved City workers their jobs. Hopefully we're not going to be talking about cutting any firefighters or even discussing a 52 hour work week where we have the dollars that could be used for that specific purpose. Hopefully we're not going to be in any way talking about less streets being paved in non CD areas. communities such as Brookline and Beechview and Squirrel Hill that pay the tax dollars that can't take advantage of the Federal dollars. Hopefully we're not going to be talking about any type of those cut backs, because these dollars are going to be very, very important and we need them in next years budget and again, I'm keeping my eye on the ball. This whole issue with the collect past, past bad debt and taxes and I think we're really getting off that entire ball. Thank you.

The Chair:

Again, to me in a nutshell, if this is purely a vote on the tax lien, as I voted for Mr. Hertzberg's amendment, it should be equitable and uniformed. If this is a vote on Land Use and Development Policy, we are rushing the judgment. We should hold back and discuss a merit of issues part of which we started the debate again today. Councilman Onorato.

Mr. Onorato:

I just want to, on the amendment again, because that, maybe it's me, but I can't believe what I am hearing here.

The Chair:

Okay, closing comments and we'll roll call on the amendment.

Mr. Onorato:

2.6 million dollars everybody's referring to. All we are talking about, actually, I think 1 million and 6 because some of that's the school board. We're talking about, instead of collecting it in 1997, it will be pushed back to 1998 because 1 or 2 things are going to happen. Either the community groups are going to show they have a plan and if they do have a plan, we would have bought the properties back anyway, which means we would have given the money back that we received plus interest or they don't have a plan and it's going to be sold and we're going to get the money. So, we're not giving up any money, there's no jobs being lost because of this line item. The issue, the legitimate issue is, the equitable part of it and how it will select it. That is a legitimate issue and I recognize that. But, I just want to say one final thing. I wish the private sector would come and ask to pull every

single property off this list because they had a plan. I wish that was the case, I wouldn't sell one of them. The problem is, I'm telling you, their not out there. They don't want some of these properties. I hope they all show up tomorrow and say pull them all, we want to build. I hope your right, I hope it happens.

The Chair:

Clerk please call the role on Mr. Onorato's amendment? We're voting on Mr. Onorato's amendment since there is no other amendment on the floor.

AYES:

Mr. Cohen Ms. McDonald Mr. O'Connor Mr. Onorato Mr. Udin

NOES:

Mr. Hertzberg Mr. Ricciardi Mr. Ferlo (Pres't)

AYES: 5 NOES: 3

The Chair:

The amendment passes, now on the bill itself.

Is there any discussion on the bill?

The motion is to recommit the bill, excuse me, the motion on the floor is to recommit as amended the bill and to recess this session for final action following the Standing Committee Meeting tomorrow. It's been seconded.

Discussion on the procedural amendment. All in favor? Aye.

Excuse me, the actual, the vote on the floor is whether or not to recommit the bill as amended, which has passed for further discussion with a final vote and a recess of this legislative body following the Standing Committee Meeting tomorrow.

Mr. Cusick:

Objection, could I vote on the amendment?

The Chair:

Absolutely.

Mr. Cusick:

Aye.

The Chair:

Mr. Cohen.

Mr. Cohen:

No, ready to vote.

The Chair:

I know, I'm asking for your vote. The Clerk please call the roll on the recommittal.

AYES:

Ms. McDonald

Mr. O'Connor

Mr. Udin

Mr. Ferlo

(Pres't)
NOES:

Mr. Cohen

Mr. Cusick

Mr. Hertzberg

Mr. Onorato

Mr. Ricciardi

AYES: 4 NOES: 5

The Chair:

Other discussion on this bill and other bills on the Committee

Mr. Onorato:

Mr. President, I have one more amendment I want to bring forward. Yes, if you could pass that down, is Joey still here? And as I am passing this out, I would like to read the amendment Mr. President. This is to amend the amended the amended the amended bill one more time. Bill 970, this would add section 6. \$500,000.00...

The Chair:

Did your amendment specifically delete and or change the previous.

Mr. Onorato:

Yes.

The Chair:

So, the language is correct?

Mr. Onorato:

Section 5 was changed.

The Chair:

Okay, thank you.

Mr. Onorato:

This is now to add section 6 and it reads as follows. "\$500,000.00 of the sale of proceeds", there's a typo there, I apologize, "shall be set aside in a land bank fund. The money shall be used to prepare for development, i.e. boarding up buildings, other safety steps and marketing etc." I make a motion to put on the floor for discussion.

MR. UDIN seconded the motion.

The Chair:

Second, discussion Mr. Onorato.

Mr. Onorato:

Discussion, the reason I'm putting this forward is one of the problems we've had as a City over the years when we try to do development on buildings is that buildings get, go through the Treasury sale and sit there and are being held and no one plans for the holding period. Some of these homes become drug homes, some of them become vandalized hang out for derelicts or for young kids or whatever the problem is, or fire hazards, I can go on and on, the doors get blown open, the windows are blown open. I think we have to properly secure some of these buildings. would give us the money, or at least set aside some money to secure some of these properties which I know are a problem in my district and throughout the City and that's all I'm trying to achieve here is for those purposes. Public safety concerns on buildings that are held.

The Chair:

Discussion? Roll call vote, Councilman Ildin.

Mr. Udin:

I just want to speak in support of the bill and also hope that the President will come forward with legislation in acting the suggestion that you have made earlier that we designate a certain portion of the proceeds of these tax liens sale for community development, you know, putting it back into the funds.

The Chair:

We can do that even following the final vote. Councilman Hertzberg.

Mr. Hertzberg:

This really should go to budget or something else because there are a lot of things we'd all like to see, I mean, and where do we get the number 500,000 from as opposed to 100,000, 50,000? I mean and I agree with goal here, I just think it's probably not timely, I mean we have a whole budgeting process that we've been engaged in for how we spend the City's money and it certainly has a role in that but to do this today and not look at the whole picture...

The Chair:

Well, on a practical level, even if we vote in favor of this we would still have to basically structure a resolution that creates a code account or a trust fund. So, I think it's to reflect the spirit of the body on the issue and then we can work out the details and the fine print later. Councilman Cohen.

Mr. Cohen:

Thank you. I agree that this needs to be certainly examined more fully when it comes to budget time, but I'm prepared to vote for the spirit of this amendment and that is that I have had a number of properties in my district, yes, in my district that need to be boarded up. And, I've had just a terrible time trying to get the Bureau of Building Inspection to go and board them up. Now, I know that they have limited resources that their resources are strained to the limit and I think that this amendment will allow the CDC's and the City to work together to board up some of these buildings and make sure that they are Hey, we've got some of these buildings are crack houses, frankly. And, we've got to have safety procedures set up to be able to get the bad actors out of there and board these buildings up and I think this amendment will help.

The Chair:

Yeah, my only point Mr. Onorato is with the bill, I just don't think it should be limited. I would conclude demolition, sometimes you need to demolish in order to encourage single family construction. I'm sure that you also agree with that.

Mr. Onorato:

Yes.

The Chair:

All in favor of the amendment, roll call vote on the amendment.

AYES:

Mr. Cohen

Mr. Cusick

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo

(Pres't)

NOES:

Mr. Hertzberg

AYES: 8 NOES: 1

The Chair:

The bill is further amended with section 6. Other amendments or discussion on any of the bills including the 4 bills regarding the tax lien. We've exhausted ourselves

Is there any further discussion on the bills?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen

Mr. Onorato

Mr. Cusick Mr. Hertzberg Mr. Ricciardi Mr. Udin

Ms. McDonald

Mr. Ferlo

Mr. O'Connor

(Pres't)

NOES:

On bill 960, 961, 970, and 971.

AYES:

Mr. Cohen

Mr. O'Connor

Mr. Cusick

Mr. Onorato

Mr. Hertzberg Ms. McDonald Mr. Ricciardi

Mr. Udin

NOES:

Mr. Ferlo (Pres't)

AYES: 8

NOES: 1

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I thought we were voting on the...

The Chair:

Well, actually we voted on the bid.

Mr. O'Connor:

I want to change my vote on the bid, actually, 30 seconds, I just got the budget and it shocks me that government never changes ceases to amaze me. Out of the million 3, only 48% is going Ambassadors, which we all like uniformed people to be friendly Downtown and then that's 200,000 and another 25% is going to clean up the sidewalks and remove litter. 52% is going to administration marketing and all the things that somehow big companies and big corporations seems that when they get the money it stays up and it doesn't drop. I respectfully have to vote no to this because if they took on a roll of thumb by normal businesses, there's a million 3 there, if they took 30% of that money and use it for administration. marketing, McDonald's uses 5% so you could imagine that's usually a roll of thumb for marketing. Administration is usually less than 10. If you took the million dollars, you could hire 50 people and I saying, I'm telling the board members at PDP, why I am not going to support it now and I'll come to your first board meeting and explain this to you in person. You could go out and hire 50 people at \$20,000.00 a year to clean, ambassador police and do whatever you want to do on the City of Pittsburgh. That would be the best marketing strategy we could do for this Downtown. If you want to take an example, nobody's been to Duquesne University lately, take a ride up and see what Dr. Murray's done with that small university block, it's a jewel. This is only a few blocks bigger, if you took that money and put it on the street. I could support this. But, when I look at the money they're spending there, I really question it. So, I would hope that they would reconsider. I'd be glad to go speak to their board why I voted no for it.

The Chair:

Okay, well then on the vote, excuse me, we were in the middle of the vote.

Mr. O'Connor:

I'm voting no on 853.

The Chair:

Thank you. Councilman O'Connor is registering a no vote on the Business Improvement District Bill for the reason stated. Mr. Ricciardi abstained on the particular bill. All of the bills, however, have received the affirmative recommendation and are law finally. Other discussion? Moving to Committee on Public...

Mr. Cohen:

Because of all this talk, I have to attend the rally that we had a proclamation for this morning, so I would like to take this moment to register an aye vote to all remaining bills in all departments. Thank you very much.

The Chair:

Thank you Councilman Cohen. Committee on Public Works, Water, and Environmental Services, Mr. Ricciardi.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTS:

Bill No. 989.

Report of Committee on Public Works, Water and Environmental Services for September 18, 1996 transmitting sundry resolutions to Council.

Which was read, received, and filed.

Also, with an affirmative recommendation.

Resolution providing for an agreement or agreements with the YMCA of Pittsburgh in an amount not to exceed sixty thousand dollars (\$60,000.00) for reimbursement of expenses for materials and services in the renovation of the play area at Cliffside Parklet And Marshall-California Parklet, for the benefit of the City Of Pittsburgh payable from code account

4-01-40-0054-96-515-96-01, index code 618264, play area safety improvements, Department Of Public Works.

Bill No. 990.

Resolution granting unto Irene Pavlik, 3200 Mary Street, Pittsburgh, Pennsylvania 15203, her successors and assigns, an encroachment to construct, maintain and use at her own cost and expense, an off street parking area on a portion of the right-of-way on Mary Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Bill No. 991.

Resolution granting unto **PMC** Development Corp., t/a Vie de France, 5808 Forbes Avenue, Pittsburgh. Pennsylvania 15217, their successors and assigns, an encroachment to construct. maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area at 5808 Forbes Avenue in the 14th Ward, 5th Council District of the City of Pittsburgh.

Bill No. 992.

Resolution granting unto Harry Gable, 139 South 17th Street, Pittsburgh, Pennsylvania 15203, his successors and assigns, an encroachment to construct, maintain and use at his own cost and expense, a fire escape on a portion of the right-of-way on Jane Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

Bill No. 993.

Resolution vacating a portion of Giller Street between Brook Street and Minooka Street in the 29th Ward, 3rd Council District of the City of Pittsburgh.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr. Ricciardi
Mr. Cusick Mr. Udin
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)
Mr. O'Connor

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally. Committee on Housing, Economic Development, and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

Bill No .987.

Report of Committee on Housing, Economic Development and Promotion for September 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the following publicly-owned property in the City of Pittsburgh (Council District No. 1):

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen Mr. Ricciardi
Mr. Cusick Mr. Udin
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)
Mr. O'Connor

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Lands, Buildings, and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTS:

Bill No. 986.

Report of Committee on Lands, buildings, and Procurement for September 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Resolution authorizing the Director of the Department of General Services, on behalf of the City of Pittsburgh, to conduct the sale of various pieces of production equipment, accessories and cables that are no longer utilized by the Bureau of Cable Communications, to the Pittsburgh Filmmakers, a non-profit corporation, for a nominal fee of One (\$1.00) Dollar .

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo

Mr. O'Connor

(Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Parks, Recreation, and Youth Policy, Councilman Cusick, Chair.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Councilman Cusick.

MR. CUSICK PRESENTS:

Bill No 985.

Report of Committee on Parks, Recreation and Youth Policy for September 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of Bon Air Parklet Basketball Court to Marc Kolenda Court.—(Sponsored by Mr. Cusick). Bill No. 1017.

Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to name the unnamed parklet at the corner of Shiloh Street and Virginia Avenue, Mt. Washington, Council District 2, to Charles A. Lewis Parklet.--- (Sponsored by Mr. Hertzberg & Mr. Cusick).

The Chair:

Is there any discussion on the bill? Councilman Cusick.

Mr. Cusick:

First of all, Mr. President, as most of the viewers and people that attended the Council Meeting today saw that the Lewis and Carestis Families was down here to accept a proclamation from Councilman Hertzberg. It is ironic that today, not only are we going to honor Mr. Lewis, Chief Lewis, but another individual from the 4th Council District Mark Kolenda, we will rename a basketball court after him and rightly so. Both of these gentlemen have put their lives on the line for the citizens of this City. Their dedication is appreciated and this is just a small gesture, I am honored and I'm sure all of you are honored to do such a thing and with that, thank you.

The Chair:

Thank you. Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. As we went over earlier, about 2 and a half hours ago, this Saturday, September 28th is Charles A. Lewis Day and this Saturday at 11:00 in the Parklet that as of now has no official

name, but on Saturday at 11:00 it will be dedicated as the Charles A. Lewis Parklet. That's in Mount Washington at the corner of Shiloh and Virginia Avenue and the public is invited and I want to thank all the hard work getting this together that's been done by our Department of Parks and Recreation, our General Services Department, Gal Lancey who was here and Christie Will who was here to get ready for this Saturday.

The Chair:

Thank you very much.

Is there any further discussion on the bills?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law and were:

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald (Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill having received the legally required number of votes has been approved finally.

That concludes our Reports of Committees. Any other matter to be brought before the body. I do want to remind the public about a public hearing this Thursday at 2:00 in Council Chambers regarding the issue of a so called Baseball Only Stadium, financing, whether or not we should spend the money on a convention center, you name it. broad based public discussion and debate. We've asked Mr. McClatchy and others to speak to Council on their view and we welcome the public to speak about their economic regarding concerns development, sports, convention center, you name it. 2:00, if you want to speak call the City Clerk at 255-2142. Any other matter to be brought before the body? Hearing none, we'll entertain a motion to adjourn.

MR. ONORATO moved to adjourn.

The Chair:

Thank you, legislative session stands adjourned.

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, October 1, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Good morning everyone. We, obviously, have some outstanding citizens in the audience this morning that we want to move quickly to recognize. Also, we're very pleased and honored that Mayor Murphy is in Chambers this morning.

At this time, would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands one Nation under God indivisible with Liberty and Justice for all.

Thank you. At this time, I'd like to recognize our colleague, Councilman Cusick, on behalf of all of our colleagues and ask that the Mayor please come forward and our distinguished honoree and his delegation. The Pirate family if they could come forward, please, Mr. McClatchy and our honoree Mr. Leyland.

Mr. Cusick:

Mr. Bonifay, Mike Gordon, Steve Greenburg, why don't you all come up. Kevin McClatchy, Jim Leyland and his wife, Katie.

I guess the best way to start this is, this is somewhat of a good but sad day for It's a good day for Mr. Pittsburgh. Leyland in that he'll be moving on and furthering his career, but for Pittsburgh it's quite a loss because he's someone that kept baseball real. Coach Leyland, Pittsburgh is truly going to miss you and I'm very honored to be here today to honor you along with my colleagues and the I think it would be only appropriate, Mr. President, if the reader of this resolution would be the voice of the Pirates, Lanny Fraterie. So, Mr. President, if there's no objection.

Mr. Fraterie:

Thank you Mr. President and Mr. Mayor, I'm certainly honored to read this proclamation.

MR. CUSICK PRESENTS:

No. 1071 WHEREAS, James Richard Leyland first came to Pittsburgh November 20, 1995 and assumed the task of managing the Pittsburgh Pirates Baseball Team. Jim Leyland began winning games as well as the respect and hearts of the citizens of the City of Pittsburgh and Pirate fans everywhere, and

WHEREAS, through his hard work, managerial skills and perseverance Jim Leyland was able to develop the Pirates from a last place team into a division championship team within five short years and did so for three consecutive National League Eastern Division Titles in 1990, 1991 and 1992, and

WHEREAS, Jim Leyland's talent has been recognized nationally and was named Baseball Manager of the Year three times in his eleven year tenure with Pittsburgh. He was also honored locally as the 1990 Dapper Dan Man of the Year, and

WHEREAS, under the "Skipper's" stewardship, the Pirates won 849 games making Jim Leyland the third winningest manager in the Pirates 109 year history, and

WHEREAS, through his eleven years of service with the Pirates, James Richard Leyland has exemplified the hard work ethic, intuitiveness and the heart that has made Pittsburgh the great City it is today.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby honors Jim Leyland for his many achievements as manager of the Pittsburgh Pirates and thanks "the Skipper" for eleven years of entertainment and enjoyment given to the children and residents of the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares, Tuesday, October 1, 1996 as "JIM LEYLAND DAY" in the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

Mr. Cusick:

Thank you. Before we hear from the Skipper, I'd like to ask the Mayor of the City of Pittsburgh to please come up and say a few words.

Mr. Murphy:

Jim, this is a sad day for all of us. Through some troubled times we've had with baseball over the last few years, you've been the rock for us. I think your comments at the last game last year when it looked oblique was something that certainly galvanized me to want to work harder to keep baseball in Pittsburgh. Your steadfast commitment to this town has been very much appreciated. I know that you'll be leaving us, but I have to

believe that your heart won't and certainly with your wife. Katie, by your side, we know you'll anchor to Pittsburgh and we look forward to you coming back here to raise your children. Thanks for all the great times you've given us, thanks for the commitment to Pittsburgh demonstrated and, most of all, thanks for representing us so well. What you've represented with your sincerity, your commitment to excellence on the field and off and you good sense of work ethic is about who we are. You've captured that so well. I just heard on the television last night them talking about you and you're the hottest guy in baseball right now and that says a lot about you and it also says something about us and we appreciate that. Thank you very much. Let me leave this with you as a token, as a remembrance of you.

Mr. Cusick:

We'd like to hear from the owner of the Pittsburgh Pirates, Kevin McClatchy.

Mr. McClatchy:

I just want to thank Jimmy for all his years and I know that things are coming to an end. I don't think there's been one figure that's helped the Pirates through the last 10 years more than Jim Leyland. I think anybody you talk to in baseball clearly says Jim Leyland's the best. We know we're losing a treasurer, but Jim you're a first class guy and I know you're going to do a great job wherever you go and we look forward to seeing you back in Pittsburgh. Thank you for everything.

Mr. Cusick:

We have some more people here that have worked with Jim for the past 11 years or longer. Cam would you like to say a few words?

Mr. Bonifay:

I wasn't planning to say anything, but I think the one thing that as baseball representative and baseball operations, I guess Jim and I have been here the longest now. Of course, it's going to be a sad day when Jim makes that final decision. All the things that he has given us, all the work, I think the Mayor said it best, the work ethic that he has demonstrated is something that I have come to know and love and to really appreciate the people of Pittsburgh. Jim Leyland is some much part of the fiber of this community through our baseball efforts. I hope that as Jim has said with him moving on and us honoring him today will be a start of something new and hopefully very, very positive as baseball needs to step forward in this City. To Jim himself, the best to you and Katie. Thanks.

Mr. Cusick:

Would the Pirate organization, Steve would you like to say a few words?

Mr. Greenburg:

I've been fortunate to be able to work with Jim Leyland for 11 years. His work ethic, what he epitomizes is what we think baseball is all about. But, really it's Jim Leyland the man. I think there is nothing more creditable in this City when you talk about baseball than Jim Leyland. The Pittsburgh Pirates will continue on and we're a better organization for the 11

years that Jim Leyland's been here, believe me of that. I wish you the best of luck. Katie, good luck to you and we hope to see you back again soon.

Mr. Cusick:

Again, Mr. Fraterie, thank you for helping us out this morning. Last, but not least, Mrs. Katie Leyland.

Mrs. Leyland:

I'm going to make this short and sweet. If you guys keep this up, I'm not going to be able to tell him to take out the trash anymore.

Mr. Cusick:

The honoree, Jim Leyland.

Mr. Leyland:

Thank you very much. certainly a bit of a sad day in some ways. But, obviously, a great day in a lot of other ways. It's a privilege to be down here this morning being honored by my friends which I consider all of you my friends. I think it's been a great run for all of us. It's been something that I, certainly, will never forget. Like I said, I felt during my 11 year time in Pittsburgh, after the first year or so that I had a lot friends come to the game, not a lot of fans. I think that's the thing that will stick out in my mind forever. I can assure you I've been talking to Cam and the selection process for the new manager, he's not going to smoke and his tear ducts are going to be clogged. That's one of the criteria for your new manager. It's been a great ride and it's been a great run for me.

also like take this opportunity since I've, hopefully, never misled anybody and maybe if enough people see this. I won't get calls the rest of the day asking me what my situation is. I had two offers vesterday and I'm suppose to get two more today. I'm going to repeat that. I had two offers vesterday and I'm suppose to get two more today and I'm going to make a decision rather quickly. I'm serious about that because the TV stations keep calling me every hour, well have you decided anything. I have talked to four major league baseball teams that have expressed interest and two of those teams have made me a concrete offer. I'm going to digest those offers in the next day or so and I plan on getting something done rather quickly because there are a lot of people at stake in my situation. You hate to think you're that important because you're not. If it were just my doing, I would take a little more time. I'm not in that much of a hurry to get it done. But, for those of you that really don't understand some of the business, there are a lot of coaches from other teams, there's maybe some coaching situations here and there are a lot of people that are going home right now at the end of the season wondering whether they're going to have jobs next year. So, obviously, the sooner my situation gets taken care of those people from another organization, wherever I may go, will know what their situation is. So, that's why Katie and myself, we want to make our decision So, that's worked out rather quickly. pretty well and that's why we're going that.

In closing, let me just say that this is really in someways a sad day, but in a lot of ways for me I think this is a great day. Let me just take a moment to explain

why. When I came here in 1985 and was announced November 20, 1985, I think there were a lot of dark days for the Pirates. There were a lot of moments that everybody said that this would never work. They thought the organization was completely trashed, not trash but trashed. That the situation was so difficult that this thing was never going to work and it certainly wasn't anymore gloomy than it was November 20, 1985. They had had the problems the year before, losing the ball club, the City, itself, was down on the team and rightfully so, and so it wasn't exactly a picnic when I came in here with new ownership, new general manager, and myself being a new manager. I think that we brightened that up in a hurry. I think that we've made great strives. I think through the efforts of a lot of people, scoots, general managers, office people and fans, themselves, we got together, we grabbed hands and we said we're not going to be denied and we weren't. We were denied a world championship that I certainly hold myself accountable for that. I wish I could have delivered that for you. Nobody wanted it anymore than me. First of all for myself, I hate to say that, but I did and, obviously, for you. But, we did have three division championships. We had as much excitement in the early '90s in Three Rivers Stadium as any place in baseball, believe me. The feet were stomping and the place was going wild. Pittsburgh showed itself in the true fashion of Pittsburgh. Behind their team, the black and gold, and the pompoms, it was unbelievable. So, there's nothing wrong with this situation

I only hope, in closing, that you give Kevin McClatchy, Cam Bonifay and this new group of ownership the same opportunity and the same chance that you

gave me, that's very important. It is a tough time right now for baseball in Pittsburgh. But, we have people that are going to slug it out and, hopefully, you people will come to the front again and help these people get the job done. Remember, it was never any darker than it was in 1985. It's certainly no worse than it is right now. In fact, right now it's better because we do have some outstanding young players. It's going to take a little bit of time. I know that no matter who the new manager is, you're going to have outstanding leadership. And, like I said, I just hope that all of you take time to join hands once again and see this thing survive in Pittsburgh so that you and all of us can someday sit back and smirk and smile at those big market bullies that we're talking about. I thank you from the heart for the friendship. Thanks a lot.

Mr. Cusick:

Let's give Mr. Leyland a big hand.

The Chair:

Thank you and congratulations. As we have a large delegation exiting and it's a great honor to have all the Pirate Representatives here today and, certainly, Mr. Leyland and his wife.

We do have a 7th grade class trying to come in here though at the same time. I'm going to allow them an opportunity to get through the doorway. This is the 7th grade students from the new South Hills Middle School in Councilman Cusick's District. At this time, we'll try to get one group out and one group in.

Councilman Onorato has some guests and I'd like to call on him first for one of his proclamations.

Mr. Onorato:

Mr. President, I have two proclamations, but I asked this one to go first because one of the individuals is oncall and I want to make sure he's able to do his work. Doctor Holt and Dave Hauston and anyone else associated with this group, if their here, please come forward. These are the two names that I have.

This proclamation might not have the PR passé as the we just heard, but I want to say that this is an example of what's going on in the neighborhoods that really make Pittsburgh a great place and provides a quality of life that we need and is no less important than the previous one we just had and I want to personally thank you.

MR. ONORATO PRESENTS:

No. 1072 WHEREAS, the vision for a primary health care center in the North Side was born in the heart of the pastoral staff of the Allegheny Center Alliance Church (ACAC) several years ago, and

WHEREAS, two young physicians, Mark Guy and Dan Holt, long-time friends who shared a burden to care for the poor, began to attend ACAC. These two physicians along with Dr. Todd Wahrenberger, began to meet over breakfast to share their ideas and visions for a community-based physician practice for the poor, and

WHEREAS, as their vision took shape they searched for a hospital to assist them in its implementation. Similar in mission, the Pittsburgh Mercy Health System was immediately receptive to the group, and

WHEREAS, the group approached PNC to lease a building on the North Side which had previously been occupied by physicians. PNC agreed to lease the building for a two year period while the clinic demonstrated its viability. At this point, the North Side Christian Health Center was officially born, and

WHEREAS, the new North Side Christian Health Center flourished during this two-year period. Discussions were then held with PNC Bank's Senior vice-president of Corporate Community Development, Marva Harris, and vice-president Mary Ellen Sullivan and PNC Bank agreed to donate the building, and

WHEREAS, the North Side Christian Health Center is a primary care health center providing affordable quality health care to the underserved of the North Side, and

WHEREAS, the Center personnel administer not only to the physician health of the patients, but also provides for their emotional and spiritual care, and

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh hereby congratulations all those who worked to make the vision of a primary health care center on the North Side a reality.

MS. MCDONALD moved to adopt the resolution.

MR. CUSICK seconded the motion.

Which motion prevails.

Mr. Onorato:

Colleagues and our guests in Chambers today, I just think it's a good example of all the discussion you hear in Washington, DC over the Federal Government trying to mandate through legislation of what health care should look like. They can do that as much as they want. This is how we're going to provide health care to America. With physicians stepping forward doing what has to be done in some of the poorer neighborhoods. So, I, personally, want to thank you again because you're leading the way of what has to happen in this country. Thank you doctor.

Mr. Holt:

Thank you very much for this chance to be here today and for this honor and for the opportunity to represent North Side Christian Health Center. It's very fitting to have the students coming in at this time because these are going to be the future of providing care and services.

Real quickly, the vision of the health center is nothing more than to provide quality health care both from a physical, emotional and spiritual sense to the folks of the North Side. We're open to really anybody who wants to come, but that's our major and primary focus. The desire has been and so far we've made that desires to do that for people who do not have particularly access to care. That care of people is the uninsured. At the present time, probably, 40 percent of our patients

are uninsured and have no other access to medical care. That's some of the work that we do there and some of the goals that we try to do.

Councilman Onorato mentioned and it's just to end with it. It reminded me of when we first opened the center is when they were talking about mandating health care and the plan to put in stake and everything that went around with that. It was sort of frustrating as a resident and a young physician to watch that. It's even more frustrating now because what it takes to do that is people who are welling to give up their time and energy to go out there and deliver health care to the underserved. If everybody does a little bit, if everybody gets in there and provides these services, it becomes much easier. thank you today for this proclamation. If you're ever on the North Side, stop in and say hi.

Mr. Onorato:

I didn't mention in the proclamation, the building is actually located on East Ohio Street right in the business corridor of East Ohio Street. So, it's very assessable to public transit. One thing I liked about the program, too, is that the doctors in the Health Care Center actually try to make a patient pay whatever a patient can pay. So, this isn't just a free ride. There's some responsibility involve, be it a dollar or be it whatever they can afford, there's some kind of payment plan.

I want to also reiterate, I want to thank PNC Bank for making this possible. We have Mary Ellen Sullivan over here from PNC that you heard donated the building. Finally, Mercy Health System. A lot of times in these Chambers, we

criticize some of the big institutions for not doing enough. This is one day that I want to make sure that we make it clear that we thank this particular health provider, Mercy, because they did step forward and believed in these physicians and are definitely given something back to the community on the North Side. So, I do want to thank you and hear from you,

Mr. ____:

Thank you very much. On behalf of the Pittsburgh Mercy Health System, I'd like to thank the Council for their honoring the North Side Christian Health Center today. The Health Center is a small organization of three doctors that are trying to make a difference in their communities. And, I thank you for honoring them in this way. Thank you.

Mr. Onorato:

A little late, but that's okay. Mary Ellen Sullivan from PNC Bank who was the other partner in this. Please come forward and say a few words. Thank you, too.

Ms. Sullivan:

On behalf of PNC Bank, I would like to thank the North Side Christian Health Center for inviting us to be a partner in this great initiative and please join us all this afternoon for a celebration. Thank you.

The Chair:

Thank you Councilman. At this time, Councilman Cohen has some guests in the audience. I do want to especially recognize on behalf of Councilman Cusick

and all of our colleagues and to thank all the students that are down here this morning. These are 7th grade students from the new South Hills Middle School and they're here with their teacher, Amy Gary. Councilman Cusick did you want to say a few words?

Mr. Cusick:

I'd just like to say this is a — I'd like to think that I had a part in this and I'm sure Councilman Onorato would like to think he had a part in this. This is the new South Hills Middle School we have in the South Hills of Pittsburgh. This is the 7th grade and we're very pleased to have them with us today. So, welcome 7th graders from South Hills Middle School.

The Chair:

Let's give them a big hand. Councilman Cohen.

Mr. Cohen:

Thank you very much Mr. President, welcome everyone. Would those who are here for Fire Prevention Week, please come up?

Thank you all for coming. I'm very honored this morning along with all members of Council to read this proclamation regarding Fire Prevention Week. I think that many of the residents of the City of Pittsburgh and, maybe, even a lot of school children who are here this morning, when they think of the fire bureau, they think of the suppression part, meaning those who actually go out and fight fires. That certainly is an important part of our fire bureau, but equally important is the prevention unit of the fire

department and that is those people who try to prevent fires from happening in the first place. It's a very, very important function of the fire bureau and this morning we have an opportunity to not only thank the fire prevention fire fighters, but also to thank a number of local business people who have given of their time and their dollars to be able to have fire prevention here in the City of Pittsburgh. So, let me read this proclamation first.

MR. COHEN PRESENTS:

No. 1073 WHEREAS, fire deaths due to smoke inhalation outnumber fire deaths due to burns by more than two to one, and

WHEREAS, smoke detectors are our first line of defense against fire, and

WHEREAS, research shows that having a smoke detector cuts the risk of dying in a fire nearly in half, and

WHEREAS, research also shows that in approximately one third of all homes where there have been fires, the smoke detectors are not working, usually due to dead or missing batteries, and

WHEREAS, a smoke detector which is not working offers no protection against deadly smoke and fire, and

WHEREAS, the Fire Bureau of Pittsburgh is dedicated to the safety of life and property from devastating effects of fire, and

WHEREAS, the local efforts of the Fire Prevention Division are supported by Energizer Batteries, the Mercy

Foundation, State Farm Insurance and Radio Shack, who subsidize the Bureau's "Early Alert" smoke detector program.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare the week of October 6-12, 1996 to be "Fire Prevention Week".

BE IT FURTHER RESOLVED THAT the Council of the City of Pittsburgh urges all Pittsburghers to heed the message of Fire Prevention Week, Let's Hear it for Fire Safety, Test Your Smoke Detector.

MR. ONORATO moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevails.

Mr. Cohen:

Thank you very much. As I've said, we have really the whole leadership of the Fire Prevention Division of the Fire Fighters, of course, lead by Chief Dickinson and also Assistant Chief McCalley and Assistant Chief Connelly. Thank you all for being here. We also have representatives of three organizations that I would like to honor this morning and all Councilmembers I said have co-signed onto this proclamation. They are, first of all from State Farm, we all know Kevin Donough. He's certainly a friend of all of ours and somebody that we've worked closely with. Denny Reilly from State Farm who is the Field Executive for Pittsburgh. We have Bob Brow who's the Regional Sales Manager for Radio Shack and also Mr. Mike Walsh who is the

President of the Board of the Pittsburgh Mercy Foundation. It seems like many proclamations this morning involves Mercy, it's in the Mercy System. Thank you very much for being here. Let's begin with Chief Dickinson and we'll go down the road.

Mr. Dickinson:

I kind of got mixed messages here. I don't know which group to talk to. There's a real important group that just left. For those of us who remember, with children in the room who certainly wouldn't remember, a long time ago a young child asked a certain ball player, so it ain't so Joe. And, I'm sure today most of us say, say it isn't so Jim. But, it is and he's moving on and it's a terrific story. But, we think we have an equally positive story that we want to share with you this morning and it involves our children, our treasurer. If you talk about public private partnerships, this is just what we think is the epitome. This is private corporations and companies who've stepped forward and had offered a helping hand that I think is one of the best kept secrets in the City. There's some startling figures. There's a lot of things that we love to tell, but we know time is constrained. But, there's a couple that I do want to share with you

If you say that baseball is ours, our treasurer here in the City that we've struggled mightily and is the jury still out, we don't know, we hope not. But, we do know that the treasurer that we guard with all our hearts and all our efforts for every fire fighter there ever was or ever will be on duty is to suppress and to keep from losing the treasurer called children. In our City, that's been a difficult task. But, because people like here who are honored

with us today have stepped forward, I'm proud to share with you today it has been over two years since we have lost a child in Pittsburgh in a building fire. I can't tell you how happy we are that we've achieved that. What we need, though, are ambassadors to carry this on. The book that we're going to share with you today in your own Council district talks exactly about that. Each one of you in your own Council districts have had building fires since January of '95 until current that smoke detectors have saved people's lives, children's lives. But, because we've had success for almost two years and three months, we can't quit, the journey has only begun. This isn't the world series that comes to climax and it's over with in This is ongoing and a few weeks. relentless. And, what we ask you today is to share with us our appreciation for these gentlemen, all of them up here who work quietly and diligently and keep that message out in the street that smoke detectors are the best preventative measurement for people not to become injured in the City. Is fire real in Pittsburgh? I have the other side of the stats that says that it is because since 1988, 103 people have died in building fires in this City. We have averaged up until 1996, 12 fire fatalities every year. What's different this year? In addition to not having lost a child for a little over two years, our only fire deaths this year have totaled four. We think we're beginning to swing the pendulum the other way with smoke detectors. That's what saving lives. If you think baseball or football is real, you should come with us when our professionals go work, meaning fire fighters, they're terrific, they're the best world series game you ever saw in the middle of the night when desperate measures need to be accomplished. Our fire fighters do that, but we need help. We don't care if we can't stop the building fire as long as people are out and that's what smoke detectors deliver. With all that, I encourage everybody this month, particularly at the end of the month, to change your battery in your smoke detector. Thank us with all these gentlemen here. I'll turn it back over to Councilman Cohen.

Mr. Cohen:

Thank you Chief for those compelling remarks. Assistant Chief Michele.

Mr. McCalley:

Good morning. Thank you Councilman for presenting the resolution. I have to thank my staff and the people that work in fire prevention, they're the ones that make it go. Cunningham is going to pass out to all the Councilmembers a booklet. The booklet is broken up into Council districts, it shows the smoke detectors and the batteries that have been distributed in your districts since I've taken over fire prevention. It also has actual fire reports in there that shows where a smoke detector caused the occupants to get out of a building. I want to thank State Farm, Energizer that's not here, Mercy Foundation and Radio Shack because we started off small with this early alert smoke detector program. Without their backing, we would not be where we are today. We go into every We started in the low neighborhood. income neighborhoods and we started with one smoke detector in every household regardless of their income. Because of the generosity of these organizations here, this past month, we've started up in Beechview and we've started to put two smoke detectors in every home. We will put more smoke detectors in Beechview than we put in any other neighborhood so far, approximately 600. When we are done with all the neighborhoods, we are going back to the neighborhoods where we only put one in and we'll offer them another one. I thank you.

Mr. Cohen:

I would like to take this moment to give special gratitude to those three organizations and as Assistant Chief McCalley said Energizer was not here this morning. But, we have three organizations that are very, very involved in contributing to this effort and this is truly a partnership for safety. I'd like to first of all ask Kevin Donough and Denny Reilly from State Farm to come up and say a few words and have everybody here thank you for all your work.

Mr. Donough:

Well I'd like to thank City Council for having us here today. Also, I'd like to say I'm proud to represent the seven State Farm Agents who are located here in the City of Pittsburgh to help with this project. I think it's just one more step towards us given back to the community that we live in and we work in. I also would like to thank the City Fire Department, their men and women for the hard job they do out there.

Mr. Reilly:

On behalf of State Farm, I would like to just pledge our continued support for what we regard as a very, very important program. We are proud of our

part in it. Our continued support can be counted on by Chief Dickinson and his esteem colleagues. Thank you.

Mr. Cohen:

Bob Brow from Radio Shack. Radio Shack provided, I believe, a lot of the equipment for this smoke detector. So, Bob, thank you so much for your help and please come up and say a few words.

Mr. Brow:

Radio Shack started a program approximately three years ago called Operation Fire Safe. At that time, it did start in Philadelphia. Radio Shack realized the benefits of helping the community and expanded this program to over 30 cities in the United States. Radio Shack is more than just a large corporation, it's a company that's in your neighborhood. It said that 99 percent of Americans work or live within five minutes of a Radio Shack store. So, we feel part of the community. Last spring, Radio Shack donated five thousand smoke alarms to the Fire Department. The Fire Department is now installing those into folks homes that are in need of such first line of prevention. Not only is Radio Shack proud to be part of that first line to help the residential people, we also feel it's very important because it also saves fire fighter's lives. So, we're very pleased and proud to be part of Operation Fire Safe and installation of fire detectors in the City of Pittsburgh. Thank you very much.

Mr. Cohen:

Thank you. Last, but certainly not least, Mr. Mike Walsh who is the President of the Board of the Pittsburgh

Mercy Foundation. Thank you so much for your help and please come up and say a few words.

Mr. Walsh:

Thank you Councilman and thank you City of Pittsburgh. It's nice for Mercy Hospital and you've heard Pittsburgh Mercy Health System which consist of Mercy Hospital, the Pittsburgh Mercy Foundation. and Mercy Providence Hospital. It's nice for Mercy Hospital to get into the prevention side of burns. Working with the City Fire Department, we've helped install smoke and fire detectors in the Hill. The Pittsburgh Mercy Hospital has the oldest and the largest burn unit in Western Pennsylvania. At the hospital, we see the sad effects of burns. But, it's the hospital's dedication to maintaining this excellence in burn therapy. I would like to invite everybody here to come to the Allegheny River this Saturday in Clemente Park where the head of the Ohio Races will be held. There will be more than 2,800 rowers racing two and a half miles down the river and the races go off about every 10 seconds and it's a festive occasion. But, most importantly, it's the good that the races produce. The good that I speak of is money that goes to the Pittsburgh Mercy Burn Unit. For the past 10 years, more than \$250,000.00 has been given to the Burn Unit to keep it state of the art. So, thank you very, very much for honoring us here today. We take great pride in helping the City of Pittsburgh. Thank you.

The Chair:

In addition to thanking all of the Fire Bureau Personnel and all these great individuals who have contributed so much time and resources. We do want to remind the public that it is the law in the City of Pittsburgh, you must, legally, have in your house the proper number of smoke detectors. So, it's not only the law, but it obviously makes good sense for life and limb and the protection of humans. Please make sure you have one and check it each year. Thank you.

Councilman Cusick is working throughout the day with the 7th graders on Government Day. I know they're going to a number of government offices so we're going to excuse him. I believe Bus One is now here. Councilman if you want to --

I want to apologize for all of our guests here today. It's been a rough day. We've had a lot of honorees and we're running a little late so I apologize to some of our guests. At this time, I'd like to ask Councilman Hertzberg to come forward who has a number of honorees here today.

Mr. Hertzberg:

Would Rita Werling and the other individuals that have come here with Rita today, please come forward. This is kind of moving into a different area, more of a story of your everyday going on, a little different than your Jim Leyland's story. But, none the less, just as important of a story to tell about Rita Werling. Rita's story is a story of someone who was struggling financially, made use of some of the programs that I think all of Council's aware of, programs that assist us in developing housing in the City of Pittsburgh and assist people in getting involved in the program. Rita is here. Tom Jones is here from the West End-Elliott joint program, Diane Meinhan here from PNC Bank and Louise Craighead from the Community Lenders Credit Program is here. What this is all about is a person that was able to realize the America dream of home ownership that came a long way to get to that dream and had the assistance of some of the people you see here. With that assistance, was her own perseverance and efforts that got her the America dream. Let me read the resolution, then we can hear directly from the people involved.

MR. HERTZBERG PRESENTS:

No. 1074 WHEREAS, Rita Werling at the tender age of 18 realized that her life needed turned around and that she needed to get busy, get working and set a good example for her two daughters, and

WHEREAS, Rita succeeded through a relentless attitude toward self-improvement, and a desire for a better life for her children, and through her determination Rita was able to pull herself up and find work through education and training in the nursing, office administration and computer fields, and has overcome numerous personal and financial problems, and

WHEREAS, a former resident of St. Clair Village, Rita desired to move from public housing and fulfill her dream of home ownership, and

WHEREAS, Rita began seeking assistance and advice from organizations such as the West End-Elliott Joint Project, PNC Bank, and the Community Lenders Credit Program; and through their support has achieved the American dream of home ownership through the West End-Elliott Joint Project's Lease/Purchase Program.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates Rita Werling for her determination and outstanding accomplishments to make a good quality of life for her family and welcomes her as a new Pittsburgh homeowner and wishes her continued success and a bright future.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Can we hear from you Rita, please?

Ms. Werling:

First of all, I would like to thank Alan Hertzberg and City Council. I think it's appropriate today with Jim Leyland here and a physician being honored today for his work in the community and the fire fighters here today that what we have here is one word and it all comes back to that and it's a sense of community. As I have gotten older and a little bit more responsible, I've come to realize just how important that really is. Mr. Hertzberg indicated that it was my personal perseverance and that's true, but without the assistance of these programs, I would still be out there struggling today. I think it's very important that we recognize that and that these groups continue to get the funding that they need, I think that is critical. These are not profit organizations, they need to be staffed and they need to be funded. If we don't do that, people like me are going to slip through the cracks. So, if there's anything that I could stress more it would be that. This rent with the option to buy gave me the opportunity to live in my home and that was the motivation and the incentive that I needed to work towards that. It was not just a rental property. I took pride in what I had and I wanted it, not for myself, but for my children. I look out the youth out here and I see my daughter who is 12 years old and I see her there and it was time for me to, in the words of a famous singer, Ms. Estha Fon, come out of the dark and make my way towards self-improvement and a good life for myself and, most importantly, for my family. So, thank you all very much. Thank the West End-Elliott Joint Project, Diane Meinhan from PNC Bank, and the Executive Director of the Community Lender Credit Program for all of their assistance. I couldn't have done it without them. Thank you.

Mr. Hertzberg:

Tom Jones from the West End-Elliott Joint Project. I think he can kind of lay out the whole process for us here if you wouldn't mind.

Mr. Jones:

I'd be delighted to. Councilman, President Ferlo, friends and visitors here today, I just want to say that this program is a result of a cooperative effort by many groups and individuals. First of all, it took the West End-Elliott Joint Project Board to agree to go into a kind of a risk program of buying vacant and deteriorated houses and renovating them and selling them under a lease/purchase program to first time home buyers. It took the City of Pittsburgh to agree to fund us through the Community

Development Block Grant Program. It also took the Urban Redevelopment Authority of Pittsburgh to design programs that we could take advantage of in the community. Then, it took the partnership of our financial institutions in the City of Pittsburgh, in this particular case, PNC Bank, which has been a partner through this whole process. That's the bricks and mortar and the funding of it.

It also took an agency that was created by a financial institution such as the Community Lenders Credit Program to provide the ongoing support mechanism to help people like Rita through the process to overcome difficult financial situations and to put them back to a point where they would become a bankable loan. We're very pleased and happy for Rita because she is our very first person to come through this process and she is our first graduate. This will give us confidence to continue that effort. Council should share in this award as everybody else standing up here. Thank you.

Mr. Hertzberg:

Diane Meinhan from PNC, would you like to say a few words?

Ms. Meinhan:

I would just like to say that Rita is one example of what we are trying to accomplish with PNC. That is trying to get people to be homeowners and get them into a home of their own. It was an absolute pleasure to be part all of the partnerships with West End and with Community Lender Credit Program. I think that Rita is an inspiration to her family and her friends and I really enjoyed working with her.

Mr. Hertzberg:

Last, we'll hear from Louise Craighead with the Community Lenders Credit Program. Louise maybe people that are watching might want to know how to get in touch and what to do. Maybe you can explain that.

Ms. Craighead:

Good morning. I certainly want to thank Rita for inviting me here to enjoy this special award that she's received. She is an inspiration to me and to the other applicants that are in the process of trying to straighten out their lives and purchase a home. Rita has worked very hard to do this. In the process, she overcame being a victim of downsizing and losing her job. She took that, turned it around and made it an opportunity. She got a better job and she continued on to her pursuit of purchasing a home. It was just an honor to work with her and to see her be so motivated. She has offered to come back and talk to our other homeowners who are still in the process.

The Community Lender Credit Program was designed first of all by PNC and then it was spread to the PCRG Groups and many other financial institutions until we had about 21 banks that were participating and funding this program to help low to moderate income families purchase a home. Many people believed that it couldn't be done, but we have 205 homeowners right now that says that it can be done. Rita is certainly the epitome of families that are coming from public housing wanting to take charge of their lives and move into owning their own

home. I, again, thank her and salute her for her efforts.

The phone number is 232-0708. Thank you.

The Chair:

Thank you very much and congratulations.

Councilman O'Connor, I know you have some guests in the audience.

Mr. O'Connor:

Will Bridget Delany please come up from Duquesne University? We'll continue on the physician's program and all the good things we're doing in Pittsburgh.

Bridget is on the faculty of Duquesne University and I'm on the board there with the Physicians Assistant Program. It's an outstanding program and I'm like to read the proclamation for it.

MR. O'CONNOR PRESENTS:

No. 1075 WHEREAS on Sunday, October 6, 1996, the Department of Physician Assistant, at the University of Duquesne will be hosting the fifth annual celebration of National Physician Assistant day. The Physician Assistant Program at Duquesne University has recently graduated its third class of 30 students, and

WHEREAS, the Physician Assistant profession has been in formal existence of 31 years. In that span of time, the profession has grown from 5 to

approximately 25,000 practicing Physician Assistants in the United States, and

WHEREAS, the Physician Assistant education program at Duquesne University, which is one of 59 credited programs across the country, was the first ever to offer an entry level Master's degree program in Physician Assistant education, and

WHEREAS, the energetic mission of Duquesne University's Physician Assistant Program is determined to prepare trainees, both technically and responsibly, for the value and demanding profession of a Physician Assistant, and

WHEREAS, Duquesne University has proved to be one of the foremost educators in the United States of Physician Assistants, and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends and gives rave reviews to Duquesne University, the John G. Rangos Sr. School of Health Science, Department of Physician Assistant, and declares Sunday, October 6, 1996 as "National Physicians Assistant Day" in the City of Pittsburgh to increase public awareness of this academic program.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Bridget do you want to come up and tell us all about?

Ms. Delany:

Thank you. First, I'd like to apologize for my colleagues who couldn't join me here today, but I'm thrilled. As stated in the proclamation, we are relatively new profession proclamations like this can do a world of help as far as public awareness. I just want to reassure you that we will celebrating our day in a very productive way, myself as well as other faculty. Our undergraduate and graduate students will be participating in the American Heart Walk so hopefully others can benefit from your work as well as mine. Thank you.

The O'Connor:

I think this is quite a field for young people to get into. So, hopefully they will continue at Duquesne. I know it's very hard to get into the program.

The Chair:

Thank you very much. I see our Chief Magistrate in the audience, Mr. Simmons. Councilman Onorato and your guests.

Mr. Onorato:

At this time, will the Chief Magistrate come forward and everyone. As they're coming forward, let me read off the names that are here. From the Domestic Abuse Counseling Center, Bob Foster and Paul Burchfield. From the Women's Center and Shelter, Paulette Banodo, Rhonda Fleming and Steven Grier. Is there anyone that I missed?

This proclamation is sponsored by all nine Councilmembers.

MR. ONORATO PRESENTS:

No. 1076 WHEREAS, the Pittsburgh Partnership Against Domestic Violence was formed in March of 1996 as a means to coordinate forces that work well together in Domestic Violence Court to speak out against domestic violence, and

WHEREAS, the members of this partnership are the City of Pittsburgh's Magistrate Court, Domestic Abuse Counseling Center, the Veterans' Administration and the Women's Center and Shelter, and

WHEREAS, in 1994-95, the Domestic Abuse Counseling Center provided batterers counseling to 1,200 men. The Veteran's Administration also provides batterers counseling to approximately 200 batterers per year. Additionally, there were 3,850 arrests for intimate partner abuse in the City of Pittsburgh, and

WHEREAS, from July 1, 1995 to June 30, 1996, the Women's Center and Shelter provided 10,317 nights of shelter to 274 women and 307 children. It also provided legal options counseling and accompaniment to 6,403 women, and

WHEREAS, the Women's Center and Shelter's hotline received 11,024 domestic violence related calls, provided 34,775 hours of counseling to women and their children and presented 1,376 education events to 25,984.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends the Pittsburgh Partners Against Domestic Violence for its efforts to deal with the problem of domestic abuse in the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares Tuesday, October 1, 1996, as A Day of Unity in the City of Pittsburgh and October, 1996 as Domestic Violence Awareness Month throughout the City.

MR. UDIN moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevails.

Mr. Onorato:

I'm going to ask the Chief Magistrate to come forward and anyone else who would like to speak after him.

Mr. Simmons:

Good morning and thank you very much Councilman Onorato, Mr. President and members of Council and friends present. I just want to thank you for this opportunity for us recognizing the seriousness of domestic abuse and domestic violence as it exists here in the City of Pittsburgh. Domestic violence is something that, in many communities, is swept under the rug, if you will, and is not treated as the crime that is. The Pittsburgh Partners Against Domestic Violence is embarking upon a campaign wherein we will treat domestic violence as the crime that it is.

We begin today by erecting billboards throughout the City. We're pleased that the City Council helped us financially to erect those billboards. We'll have public service announcements and we'll have public appearances throughout the City throughout the month of October.

I'd like to share with you just a few statistics. If I would mention nine seconds to you, you would probably say that's probably the amount of time it takes Michael Johnson to cover 100 yards. But, regrettably, every nine seconds a woman is battered in the State of Pennsylvania. Every third day a woman or a child is murdered as a result of domestic violence in the State of Pennsylvania. If I were to say to you 8,000, you would probably say that's the number of people who ran in the Great Race this past Sunday. regrettably, 8,000 is, approximately, the number of cases that City Court handles in a domestic violence program every year. Startling statistics that people don't often get information of. Statistics that we would like to see go away. I brought along, particularly, Theresa Bronovich, who is my City Court Supervisor who oversees the operation in Domestic Court. She's been with it since it's inception in 1984. She has seen the numbers rise over the years, regrettably. We are trying to do what we can to correct that by heightening the awareness of the seriousness of domestic abuse and domestic violence in the City of Pittsburgh.

Finally, I'd like to thank the Jewish Healthcare Foundation and the program to aid the Citizen Enterprise for their financial support in helping us in our efforts. Thank you very much for this proclamation and we certainly hope that this educational program will begin to

stem the tide against the rising domestic violence in the City of Pittsburgh. Thank you very much.

Ms. Fleming:

Good morning. On behalf of Women's Center and Shelter and just want to take this opportunity to say thank you. The City of Pittsburgh has recognized domestic violence over the years. The police intervention has increased. I just want to thank Judge Simmons for having this vision for Pittsburgh Partners Against Domestic Violence. I just wish for the continued success. Everytime we come out and get public recognition as this, we get to help save the lives of children and women, so, thank you.

Mr. Foster:

It's a pleasure to be part of the Pittsburgh Partnership. As the CEO of the Domestic Abuse Counseling Center, we started with an idea four and a half years ago. We've turned our project into one of the largest in the country. We have begun making Pittsburgh a model around how you stop partner violence by working with the abuser. And, to be part of this collaboration enhances the whole idea of stopping family violence and that's what I appreciate. Thank you Council.

The Chair:

Thank you for all your good work throughout the year. If my colleagues and friends from Lawrenceville are still able to move out of their seats after all this time, I'd like to ask Shawn Cassie and Peter Cast to come forward please. Thank them for their patience.

Good morning again. I have to my left Sean Cassie and Peter Katz. Shawn Cassie is one of the owners and investors in an exciting new place in Lawrenceville and Peter Katz is the General Manager. I'd like to ask your support for the following proclamation.

MR. FERLO PRESENTS:

No. 1077 WHEREAS, on this, the first day of October 1996, it is a pleasure to honor The Church Brew Works for bringing to the City of Pittsburgh a unique brew pub, which offers the highest quality food and beer in an enjoyable and engaging atmosphere, and

WHEREAS, the Church Brew Works has protected the resplendent architectural features of the former St. John the Baptist Church, which had remained vacant and dilapidated for the past three years, by restoring the hand painted Cypress beam ceiling and restoring the original grandeur and luster to the original Douglas Fir floors, and

WHEREAS, the Church Brew Works made innovative use of the architectural features of the building by using pews as dining room seating, recycling bricks to build an outdoor sign and developing a Hop Garden for outdoor dining, and

WHEREAS, the painstaking restoration of existing architectural elements illustrates the Church Brew Works awareness and dedication to the preservation of the remarkable beauty of this historic building, and

WHEREAS, the Church Brew Works has made a commitment to the

historic character of the City of Pittsburgh and Lawrenceville by providing jobs to the community and revitalizing the lost brewing tradition of Pittsburgh's multinational heritage, and

WHEREAS, not only has the Church Brew Works saved a historic building, but they have also created an enchanting atmosphere for dining and enabled future generations of Pittsburgh residents to enjoy the architectural wonders of the Brew Works building, and

WHEREAS, the success of the Church Brew Works is attributable to the dedication of Sean Casey, the President of the Church Brew Works, Peter Katz, the General Manager, Erick Cantine, the Executive Chief, Bryan Pearson, the Head Brewer and all of the management staff, who have made the Brew Works a reality.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, October 1, 1996 as "The Church Brew Works Day" in the City of Pittsburgh and today also marks the beginning of the Brew Works inaugural Oktoberfest celebration.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh commends the Church Brew Works for their innovative approach to creating one of Pittsburgh's most vibrant and truly unique new businesses.

MR. RICCIARDI moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. I think the proclamation speaks for itself. probably several million dollars worth of work in this building both direct capital outlays as well as sweat equity on the part of these two gentlemen and a lot of others, probably, countless others that are obviously not here today. I don't know how many of you have had the opportunity yet to visit this beautiful new restaurant, but it's an exciting place and, obviously, from the point of view of the surrounding owners, property the residents Lawrenceville community, and also the plight of the church. As we all know, many of us in our Council districts have worked with the Diocese, in particular, and others for adaptive reuse of important structures. It's always unfortunate when a church closes, but it is a reality that we're facing more and more in the City of Pittsburgh. To have the vision and the type of investment these gentlemen are willing to make and, at the same time, have it compliment all the good things that a neighborhood needs is really a great marriage. We applaud them for their energy and their commitment and their investment. We want to be supportive of that. We want to recognize it. It's located in the 36th hundred block of Liberty We know it's going to be successful because it already has and I encourage all of the residents in the City of Pittsburgh and elsewhere to visit a very exciting place. I had just been in Portland, Oregon a couple of months ago. In that City alone there are 42 Brew Pubs is my understanding. None of them matches the splendor and excitement that's offered right in the Lawrenceville corridor along Liberty Avenue. We're here today to

applaud this initiative and give them special recognition. Unfortunately, they didn't bring any of their beer for us to test but if any of my colleagues goes out there, you at least get one brew on Ferlo.

I want to bring Sean up here and ask him to say a few words.

Mr. Casey:

Thank you Councilman Ferlo. Thank you City Council. thanks everybody in the City of Pittsburgh for coming down and supporting especially Jim. He welcomed us to the community of Lawrenceville and offered his support in the beginning of the project. So, on behalf of myself and all the employees of the Church Brew Works, we want to present him with an official Church Brew Works ball cap. It's not quite as famous as the Pirates' logo who most of the Pirates were in here earlier today. This week is our first Oktoberfest. it's the inaugural Oktoberfest because we just opened October 1st. So, this week will featuring an Oktoberfest beer. There's also a specialty menu and music throughout the week. The food and beer is quite excellent and the atmosphere is really unique. Peter Katz has trained a staff that gives great service. So, we invite everybody down to enjoy the Oktoberfest festivities and if you can't make it this week, we're opened from now on until we close probably 100 years or so down the road. Thank you.

Mr. Cohen:

Mr. President before you leave, Mr. Katz didn't seem that shy the night that I was there. He did a great job, he actually served our table. I'm just delighted that you gave this proclamation to Jim because my wife and I and a couple of friends of ours decided to go down and see what all the commotion was about with this Church Brew Works. It's one of the hottest things in Pittsburgh right now. We were delighted. We had a great time. It's just such a tremendous renovation of a church. You kind of kept the integrity of the church building but, at the time, really turned it into a fantastic restaurant. I saw a lot of friends from Bloomfield and from Lawrenceville there. There had to be at least 300 people there that night. I just wish you the best of luck and keep on pushing on because it's a great enterprise. Congratulations.

The Chair:

Again, they are in the 3600 block of Liberty Avenue. We hope Pittsburgher's will come out and support this great new business.

We have one to be read into the record, Councilman O'Connor.

MR. O'CONNOR PRESENTS:

No. 1078 WHEREAS, the National Council of Jewish Women, Pittsburgh Section, had the vision and commitment to establish Council Care Adult Services in 1983, and

WHEREAS, after thirteen successful years, Council Care Adult Day Services continues to meet the diverse needs of physically and memory impaired older adults and their often overburdened caregivers at four locations.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City

of Pittsburgh does hereby congratulate all Adult Day Care Program providers for their efforts and extends its deep appreciation to all of those individuals, institutions and agencies which make Adult Day Care programs possible.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby commend the National Council of Jewish Women, Pittsburgh Section, as they celebrate Council Care Adult Day Care Service's "Coming of Age" at their Bat Mitzvah and does hereby declare October 3, 1996 as "Council Care Adult Day Services Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. That concludes our Read and Adopted. Moving to Presentation of Papers, Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman Cohen.

PRESENTATION

MR. COHEN PRESENTED:

No. 1079 Resolution authorizing the Mayor and the Director of the Department of Public Safety, on behalf of the City of Pittsburgh, are hereby authorized to enter into an Agreement or Agreements in a form approved by the City Solicitor with a Consultant or Consultants for professional training services, at a cost not to exceed \$22,000.00, chargeable to and payable from Code Account 1448-1, Index Code 144816, Education and Training, Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on Public Safety Services.

Also,

No. 1080 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act 171 of 1984, Second Class City Treasurer Sale and Collection Act, effective December 11, 1984.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Councilman Cohen for Mr. Cusick, Committee on Park, Recreation and Youth Policy.

Mr. Cohen:

No papers, Mr. President.

The Chair:

Thank you. Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTED:

No. 1081 An Ordinance Supplementing the Pittsburgh Code, Title One, Administrative by adding Chapter 160, Investigations of Police Conduct, Section 160.01 Request to other Law Enforcement Agency.

Also.

No. 1082 An Ordinance Supplementing the Pittsburgh Code, Title One, Administrative by adding Chapter 160, Investigations of Police Conduct, Section 160.02 Internal Investigations Staffing.

Also.

No. 1083 An Ordinance Supplementing the Pittsburgh Code, Title Six, Conduct, Article V, Discrimination, Chapter 659, Unlawful Practices, by adding Section 659.07 Unlawful Civil Rights Practices.

Which were read and referred to the Committee on Public Safety Services.

The Chair:

Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTED:

No. 1084 Resolution Amending Resolution No. 143 effective February 1990 as amended by Resolution No. 677 of 1990, by Resolution No. 719 of 1992, by Resolution No. 706 of 1993, and by Resolution Nos. 440 and 716 of 1995 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U. S. Department of Housing and Urban Development for a grant in connection with the 1990 Community Development Block Grant Program", so as to reduce line items in City Planning and add a line item in Engineering and Construction.

Also,

No. 1085 Resolution Amending Resolution No. 330, effective April 3, 1992 as amended by Resolution No. 718. effective June 23, 1992, by Resolution No. 770 effective July 10, 1992, by Resolution No. 928 effective September 18, 1992, by Resolution No. 163 of 1993. by Resolution No. 443 of 1995, and Resolution No. 362 of 1996 entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1992 Community Development Block Grant Program", so as to reprogram funds in City Planning; the Department of Engineering and Construction; and City Council.

Also,

Resolution Amending No. 1086 Section 10 of Resolution No. 234 of 1986 as amended by Resolution No. 1110 of 1986, by Resolution No. 43 of 1987, by Resolution No. 1009 of 1987, Resolution No. 715 of 1989. Resolution Nos. 133, 875, by Resolution No. 1182 of 1990, by Resolution No. 1156 of 1991, by Resolution No. 711 of 1993, by Resolution No. 444 of 1995, and by Resolution No. 359 of 1996 entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program" so as to reprogram funds from the URA and reprogram funds to the Department of Engineering Construction.

Also,

No. 1087 Resolution Amending Resolution No. 448 effective June 16, 1988 as amended by Resolution No. 627 effective August 2, 1989, Resolution Nos. 1184 of 1990, Resolution No. 201 of 1991. Resolution No. 709 of 1993. Resolution No. 442 of 1995 Resolution No. 360 of 1996 entitled, "Resolution providing for the filing of a CD Statement by the City of Pittsburgh with HUD for a grant in connection with the 1988 CDBG Program," so as to reprogram funds from City Council and reprogram funds to the Dept. Engineering & Construction.

Also,

No. 1088 Resolution Amending Section 10 of Resolution No. 79, effective March 7, 1989, as amended by Resolution No. 776 of 1989; by Resolution No. 874 of 1990; by Resolution No. 1159 of 1991; by Resolution No. 657 of 1992. Resolution No. 708 of 1993. Resolution No. 441 of 1995, and by Resolution No. 357 of 1996 entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1989 Community Development Block Grant Program" so as to add a line item in the Department of Engineering Construction and reprogram funds from the Department of City Planning.

Also,

Resolution Amending No. 1089 Resolution Nos. 507, 706, 956, 1148 and Resolution No. 1221 of 1991, Resolution Nos. 211, 524, 720 and 929 of 1992, Resolution No. 707 of 1993, Resolution No. 644 of 1994, Resolution No. 439 of 1995, and Resolution No. 361 of 1996 entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and urban Development for a grant in connection with the 1991 Community Development Block Grant Program, so as to reprogram funds in City Council and the Department of Engineering and Construction.

Also,

No. 1090 Resolution Further amending Resolution No. 149 effective

1994, March 8. as Amended Resolution No. 277 effective May 3, 1994, and by Resolution No. 949 of 1995 entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program" by reprogramming in the Department of City Planning, City Council, the Housing Authority and the Department of Engineering Construction.

Also.

No. 1091 Resolution Amending Resolution No. 228, effective March 19, 1993, as amended by Resolution No. 366, effective April 29, 1993, by Resolution No. 1056, effective August 24, 1993, by Resolution No. 1219, effective November 1. 1993, by Resolution No. 755 effective October 19, 1994, and by Resolution No. 846 effective November 4, 1994 and Resolution No. 937 effective December 7. 1994, and by Resolution No. 744 of 1995, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1993 Community Development Block Grant Program" so as to decrease line items in City Council; decrease a line item in City Planning; increase line items in City Council; add line items in City Council; and add line items in the Department of Engineering & Construction.

Also.

No. 1092 Resolution further amending Resolution No. 377 of 1995 approved May 25, 1995, as amended by Resolution No. 947 approved December 22, 1995 and by Resolution No. 289 effective May, 1996 entitled "Providing filing of Community a Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1995 Community Development Block Grant Program" so as to transfer funds in the Department of Personnel and Civil Service; and by reprogramming funds from the Department of City Planning (Public Safety Initiative) the Department of Engineering and Construction (Rehab Existing Playgrounds).

Also,

No. 1093 Resolution Amending Resolution No. 785, approved July 23, 1990, entitled. "Providing for Agreement or Agreements with consultant or consultants for the purpose of providing architectural and design services, consumer surveys and market studies. promotional activities. commercial revitalization planning assistant. and business district management in various neighborhood business districts as part of the City's Neighborhood Business Revitalization Program" so as to reduce amount from \$285,000.00 \$278,103.39.

Also,

No. 1094 Resolution Amending Resolution No. 786, approved July 23, 1990, entitled, Providing for an Agreement Agreements with or Community Based Organizations and for community and economic development assistance in various planning neighborhoods in the City and providing operating support for groups undertaking economic community development through the Pittsburgh Partnership on Neighborhood Development, so as to reduce the amount from \$495,000.00 to \$489,464.70.

Also,

No. 1095 Resolution Amending Resolution No. 813, effective August 22, entitled, "Providing for 1991. an Agreements with Agreement or Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups, in the amount not to exceed \$605,000.00", so as to reduce the amount of encumbrance to \$604,428.69.

Also.

No. 1096 Resolution Amending Resolution No. 496, approved May 1, 1992 entitled. "Providing for an Agreement Agreements with or Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups, in an amount not to exceed \$600,000.00", so as to reduce the amount to \$583,598.37.

Also,

No. 1097 Resolution Amending Resolution No. 370, approved April 29,

1993, entitled, "Providing for an Agreement Agreements with or Based Organizations for Community community and economic development planning assistance in neighborhoods in the City and providing operating support for these groups, in an amount not to exceed \$600,000.00, so as to reduce the amount to \$599,220.03.

Also,

No. 1098 Resolution Amending Resolution No. 552 effective May 4, 1992 entitled, "Resolution providing for an Agreement or Agreements with St. Clair Athletic Association for rehabilitation of their Senior Center in an amount not to exceed \$6,000.00,", so as to reduce the amount allocated from \$6,000.00 from \$6,000.00 to \$5,891.00, chargeable to and payable from the 1992 CDBG Program, Project No. 4-40-05-0265-92-948-92-35.

Also,

No. 1099 Resolution Amending Resolution No. 275, effective May 3, 1994, entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance. purchase equipment; and/or of rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,460,000, chargeable to and payable from the 1994 Community Development Block Grant Program, Department of City Planning", so as to reduce the amount to \$1,459,757.60.

Also,

No. 1100 Resolution Amending Resolution No. 647, approved August 11, 1988, entitled, "Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development assistance planning various in neighborhoods in the City in an amount not to exceed \$360,000.00", by reducing amount from \$360,000.00 \$357,011.00.

Also,

No. 1101 Resolution Amending Resolution No. 735, approved July 16, 1990, entitled, "Resolution providing for the letting of a contract or contracts, or for the use of existing contracts, for the printing and delivery of projects including, but not limited, to the Six-Year Development Program for the Department of City Planning, Code Account CDCP, Project No. 4-35-01-0002-89-050-89-35, Index No. 584169, for the payment thereof", by reducing the amount from \$75,000.00 to \$73,341.67.

Also,

No. 1102 Resolution Amending Resolution No. 679, approved July 16, 1990 and Resolution No. 317, effective April 13, 1989, entitled, "Providing for an and/or Agreement Agreements Contract and/or Contracts with Consultant and/or Consultants and Vendor and/or Vendors to assist the City in improving its Participation Citizen Process providing for the payment of the cost thereof", so as to reduce the amount encumbered from \$450,000.00 \$449,195.00.

Also.

No. 1103 Resolution Amending Resolution No. 683, approved July 16, 1990, entitled. "Providing for Agreement or Agreements, or Contract or Contracts, and/or use of existing Agreements or Contracts. with Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, or related activities at a cost not to exceed \$390,000.00", by reducing the amount from \$390,000.00 to \$389,921.97.

Also,

No. 1104 Resolution Amending Resolution No. 495, effective May 1, 1995. entitled. "Providing Agreement or Agreements with Pittsburgh Partnership, Inc., for administration of a provide program to funding development community corporations undertaking community economic development activities in an amount not to exceed \$420,000.00", so as to reduce the amount to \$49,930.68.

Also,

No. 1105 Resolution Amending Resolution No. 476, effective May 23, 1991, entitled, "Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the 'Housing Counseling Program' for low and moderate income families, at a cost not to exceed \$210,000.00", so as to reduce the amount allocated to \$209,875.00.

Also,

No. 1106 Resolution Amending Resolution No. 769, effective July 6, 1992, entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Literacy Initiatives for administrative/operating assistance at a cost not to exceed \$5,000.00", so as to reduce the amount allocated from \$5,000.00 to \$,926.16.

Also,

No. 1107 Resolution Amending Resolution No. 550, effective May 4, 1992, entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Recovery Center for administrative support in an amount not to exceed \$4,000.00", so as to reduce the amount allocated from \$4,000.00 to \$3,614.63.

Also.

No. 1108 Resolution Amending Resolution No. 548, effective May 4, 1992, entitled, "Resolution providing for an Agreement or Agreements with Lincoln-Larimer-Lemington-Belmar Citizens Council for administrative/operating support of their 'Housing Information Program' in an amount not to exceed \$38.888.00", so as to reduce the amount allocated from \$38,888 to \$38.851.43.

Also.

No. 1109 Resolution Amending Resolution No. 458, effective May 1, 1992, entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to exceed \$185,000.00", so as to reduce the amount allocated to \$184,971.67.

Also,

No. 1110 Resolution Amending Resolution No. 539, effective May 7, 1993 entitled, "Resolution providing for an Agreement or Agreements with Chemical People Institute for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$3,000.00", so as to reduce the amount allocated from \$3,000.00 to \$2,922.40.

Also,

No. 1111 Resolution Amending Resolution No. 516, effective May 7, 1993, entitled, "Resolution providing for an Agreement or Agreements with the Urban League for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,777.00", so as to reduce the amount allocated from \$2,777.00 to \$2,674.00.

Also,

No. 1112 Resolution Amending Resolution No. 552, approved May 7, 1993 entitled, "Providing for an Agreement or Agreements with Greater Pittsburgh Commission on Women for operational and/or administrative expenses, including purchase of

equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$10,000.00", so as to reduce the amount to \$9,357.46.

Also.

No. 1113 Resolution Amending Resolution No. 274, effective May 3, 1994, entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment: and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$863,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program" so as to reprogram funds in various programs and reduce the overall amount to \$848,460.45.

Also,

No. 1114 Resolution Repealing Resolution No. 94, approved February 19, 1992, entitled, "Providing for an Agreement or Agreements with the Carriage House for handicapped accessibility improvements, at a cost not to exceed \$2.111.00".

No. 1115 Resolution Repealing Resolution No. 475 approved May 7, 1993, entitled, "Providing for an Agreement or Agreements with Heavenly Visions Ministries for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,164.00."

No. 1116 Resolution Repealing Resolution No. 93 approved February 19, 1992, entitled, "Providing for an Agreement or Agreements with the Squirrel Hill Urban Coalition for operating assistance, at a cost not to exceed \$2,000.00."

No. 1117 Resolution Repealing Resolution No. 530, approved May 7, 1993. entitled, "Providing Agreement or Agreements with Black Contractors Assoc. for operational/ administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City, at a cost not to exceed \$4,750.00".

Resolution Amending No. 1118 Resolution No. 476, effective June 10, 1986 as amended by Resolution No. 830, effective September 29, 1986, as amended by Resolution No. 102, effective February 16, 1987, as amended by Resolution No. 690, effective August 17, 1989, entitled, "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1986 Community Development Block Grant Program; and providing for the payment of costs thereof", to decrease a line item and the total cost by \$24,300.80.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Mr. O'Connor. I would ask on the previous bills that our Budget Office Council prepare a memo explaining to Council what all the repealing and freeing up of the unincumberant balances is on all those bills and where the monies are being rededicated, please.

MR. O'CONNOR PRESENTED:

No. 1119 Resolution providing for an Agreement or Agreements or use of existing Agreements and/or Contract or Contracts and/or use of existing Contracts and providing for the purchase of equipment and materials in connection with the Park Reconstruction Program in the Community Development areas, and providing of the costs, at a cost not to exceed \$250,000.00, including but not limited to Kennard, Manchester and Richie McCabe Ballfields and the West Park Tennis Courts.

MR. O'CONNOR moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

We need a clarification on those earlier bills. If those earlier bills would

free up the money for that bill, could the Budget Office let us know. If that is the case, then we'll waive Rule 8 so they'll all be coming up for discussion together. If we can get a clarification on it. Thank you.

Also,

No. 1120 Resolution providing for an Agreement or Agreements, and/or use of existing Agreements, or a Contract or Contracts, and/or use of existing Contracts, for the Rehabilitation of Various Playgrounds located in Community Development areas, providing for the purchase of equipment and materials for said projects and providing for the payment of the costs not to exceed \$2,952,579.00.

Which were read and referred to the Committee on Engineering & Construction.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you. Again, just so we have clear authorization, if any of the bills are intended to be companion bills in relation to expended dollars for playgrounds, let's have the authority to put them all on the agenda together so we can bring them up.

MR. ONORATO PRESENTED:

No. 1121 Resolution amending Resolution No. 617 of 1996, entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expense, maintenance. purchase equipment, and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,155,600.00, chargeable to and payable from the 1996 CDBG Program", so to change Project No. 4-40-05-0118-96-942-96-35", Goods for Guns to Allegheny General Hospital, Goods for Guns Program.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Mr. Ricciardi, Committee on Public Works, Water and Environment.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1122 Resolution Vacating a portion of Rieseck Way between Range Way and Vulcan Way in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1123 Resolution providing for an issuance of a warrant in the amount of a \$2,250.00 in favor of James D. Porto in settlement for sidewalk damage as a result of City tree roots.

Also,

No. 1124 Resolution providing for the issuance of a warrant in the amount of \$1,475.90 in favor of Shirley J. Sloan in settlement of claim for an accident involving a City vehicle.

Also,

No. 1125 Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of the City-Wide training programs for City employees and providing for the cost not to exceed \$6,000.00.

Also.

No. 1126 Resolution providing for an Agreement or Agreements with a laboratory or laboratories for professional services in connection with the administration and evaluation of laboratory testing for City of Pittsburgh employees, candidates for employment and promotion, at a cost not to exceed \$23,000.00.

Also,

No. 1127 Resolution Amending Section 1 of Resolution 590 of 1996 which authorized an agreement with Natalee Hillman for professional services in connection with the Unisource 2000 Project by increasing the total contract allocation by \$10,000.00 from \$20,125.00 to \$30,125.00, payable from Code Account 1017, Misc. Services, Office of the Mayor.

Also,

No. 1128 Resolution Amending Section 1 of Resolution No. 144, approved March 28, 1996, entitled, "Authorizing and directing the City Controller to create a special Trust Fund to be designated as the COPSMORE Trust Fund (COPSTF) for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund for any and all expenses and salaries associated with the purchase of new/replacement computer software and/or equipment. supplies, communications equipment. analysis. design, development programming and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems by adding maintenance, professional services, at a cost not to exceed \$2,065,301.00 payable from Code Account COPSMORE Trust Fund (COPSTF), Index Code 251330.

Also,

No. 1129 Resolution repealing resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh in accordance with Act No. 171 of 1984.

Also,

No. 1130 Communication from Barbara Parees, Director, Department of Personnel and Civil Service to amend previously approved travel request dated July 3, 1996 (Bill No. 764) for John Turyan to attend the NAPIC Board of Directors Meeting in Seattle, Washington August 8-11, 1996. The reason for the amendment is to correct the cost of air travel from \$1,125,00 to \$1,703.00 chargeable to JTPA-1.

Which were read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED:

No. 1131 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations Applicable to all Districts, Chapter 993, Exceptions by amending Section 993.01(a)A(40) to make adult theaters or cabarets subject to the conditional use process in C2, C6, M1, M2, M3, M4, CP and MP Districts.

Also,

No. 1132 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Districts and District Regulations, Chapter 953, C2 Highway Commercial District, Chapter 960, C6 Downtown Riverfront District, Chapter 963, M1 Limited Industrial District. Chapter 965, M2 Limited Industrial District, Chapter 967, M3 Light Industrial District, Chapter 969, M4 Heavy Industrial District, and Article IV. Development Districts, Chapter 976, CP Commercial Planned Unit Development District and Chapter 978, MP Industrial Planned Unit Development District, by adding to the list of conditional uses in those districts, adult theater or cabaret, Class "A" to the list of conditional uses in the C2, C6, M1, M2, M3, M4, CP and MP Districts.

Which were read and referred to the Committee on Planning, Zoning and Land Use.

Also,

No. 1133 Resolution appointing Mr. James Roddy to serve as a Member of the Allegheny County Sanitary Authority for a term to expire December 31, 2000.

Which was held until an interview could be scheduled.

Also,

No. 1134 Communication from Mayor Tom Murphy informing City Council of the appointment of Inez Elaine Germany to the Housing Authority of the City of Pittsburgh for a term to expire September 30, 2000.

Also,

No. 1135 Communication from Tom Flaherty, City Controller, submitting the Performance Audit of the Department of Public Works, Street Repair and Maintenance Program, dated September 1996.

Also,

No. 1136 Communication from Eloise Hirsh, Director of Personnel, submitting the recertification of area "3" South Oakland for the Residential Parking Permit Program (R.P.P.P).

Which were read, received and filed.

The Chair:

On the last three bills, the appointment of Ms. Germany to Housing Authority Board, Mr. Flaherty's performance audit of public works, and Director Hirsh's memo for the designation extending area "3" residential sticker parking, I would ask for a motion to receive and file.

MR. O'CONNOR motioned to receive and file.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

On the first two bills are zoning bills that I've introduced and I would ask that we waive Rule 8 on them for the purposes of referring them to the planning commission.

MR. COHEN motioned to waive Rule 8 on the first two bills.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Now, the third bill is a proposed confirmation, a nomination by the Mayor of Mr. Roddy to the Board of the ALCOSAN. Now, that needs Council's confirmation, it's not a unilateral appointment like the others. I'm verv about this appointment. concerned Obviously, Mr. Roddy is not only a friend, he's a great gentleman, a great certainly Pittsburgher, a successful business person. I have a major difference of opinion with this appointment by the Mayor of Mr. Roddy to the Board of the ALCOSAN. There's no way I'm going to put Mr. Roddy on the Board when he is a clear opponent of the outright sale and privatization of ALCOSAN. I'm only speaking for myself. I'm not going to vote for Mr. Roddy to be on ALCOSAN. I would please ask that this Council interview Mr. Roddy for whatever your opinion is are biased. He is clearly being put on this board for one reason and one reason only. I know there's a lot of other intrigue on the appointment in terms of Mr. Duwaita and Mr. Kramer joining forces against Mr. Dunn. That's not my issue, that's a political issue that I don't want to get involved in. My issue is that I hope that this Council does not in anyway hasten the privatization and sale of ALCOSAN and Mr. Roddy would clearly do that. I would ask that we, as we have done many times, take the time to interview this gentleman prior to any action on our part. What is the pleasure of the body? Mr. O'Connor.

Mr. O'Connor:

I'd seconded that. I think we should wait and I'd like a list of all board

members so that we can get a feel for exactly what you said. I'm very concerned, as you've said. So, I'd like an updated list of the board members and I think we should have time. I wouldn't rush him in tomorrow, maybe next week or the week after so we're prepared.

The Chair:

It probably won't be for a couple of weeks when we can bring him in here. Mr. Hertzberg then Mr. Onorato.

Mr. Hertzberg:

I support the interview of Mr. Roddy. Do we know what position?

The Chair:

This is the Seventh Joint City/ County Appointment which needs Council's confirmation.

Mr. Hertzberg:

This is, then, the position that's been vacant from day 1?

The Chair:

This has been vacant for many years.

Mr. Hertzberg:

Forever.

The Chair:

Well, probably, since Councilman O'Malley.

Mr. O'Connor:

Can I interrupt. I think you opened up with saying it was the Mayor's appointment, so it's the Joint Appointment.

The Chair:

Excuse me. The Mayor is sending over the appointment notification. It is a joint appointment between the Commissioners and Mr. Dunn, I believe. That intrigue I don't really care about. I'm more concerned about who this individual is. God forbid we should ever put a consumer on one of these authorities. Mr. Onorato.

Mr. Onorato:

I have no problem with interviewing him. I can't wait to get him in here. I'm just curious of why you said it would take several weeks. Is that because of his schedule or yours?

The Chair:

Well, no, I think we need a couple of weeks to get him in here. I don't know that he could be here tomorrow necessarily. And, depending on what happens the following Wednesday about the Civilian Review Board which is going to be a lengthy discussion especially in light of Councilman Hertzberg's three ordinances. We will try to get him in here as quickly as possible.

Mr. Onorato:

I'm just a little concerned it's now out in the media because you made a statement that he is for privatization, I don't know if that's true or not. I don't want the timing of the interview to become a political football either. I think we should get him in here as quickly as we get anybody else in here and we vote it up or down one way or the other. I'm not saying who's position is right, but I don't think they should be dragged out months just because we have other things on our agenda.

The Chair:

No, I would never suggest that. I'm saying we try to get him in here as soon as possible. I don't know if we could get him here tomorrow. Depending on what happens in the following weeks, it may be two and a half week before we get him in here. We're going to try to get him in here as quickly as possible. I do have the pleasure of serving with the gentleman on the Committee Task Force ALCOSAN Reorganization appointed bv the Commissioners initially and that's my observation. Councilman O'Connor.

Mr. O'Connor:

I would like two weeks to at least study and be able to talk to the ALCOSAN people.

The Chair:

I don't see why we can't get Mr. Roddy in by next Wednesday.

Mr. O'Connor:

I wouldn't mind a little extra time because I'd like to speak with some of the people from ALCOSAN, what their feelings are.

The Chair:

That's one of the reasons why I don't want to run this through tomorrow. I think to be fair to the rest of us who would like talk to utility, worker's union and others, I would suggest that we at least try to get him in next Wednesday, not tomorrow, but the following Wednesday. Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President. Obviously, I support interviewing all candidates as we've done in the past. Along with what we've done with other agencies even our own Magistrate Court, I think we should also extend an invitation to the Chairperson of the Authority and also the acting Executive Director to be here also because that's what we've done in the past. A lot of times when we deal with policy issues, in order to see where the candidates own feelings are, we'd like to find out from the person who's already there

The Chair:

I think that's an excellent suggestion and we will extend the invitation. Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I have no opposition, of course, to interviewing Mr. Roddy. I, frankly, don't know his position on the question of privatizing ALCOSAN and I'd like to hear it from his own words. I know Mr. Roddy to be a man of talent and integrity and would like to hear it from him to be able to come before Council. You've obviously made a characterization of his position and that

has come from your experience, but I'd like to have it directly from him so we can evaluate it.

The Chair:

Absolutely. Any other discussion? Thank you. We will extend the invitation to Mr. Roddy and to the other representatives Mr. Ricciardi requested.

That concludes our Presentation of Papers. Moving to Unfinished Business or Reports of Special Committees, any matter to be brought before the body? If not, moving to Reports of Committee, Committee on Finance and the Budget, Mr. Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

REPORT OF COMMITTEES

Bill No. 1137

Report of Committee for Finance and the Budget for September 25, 1996 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 984 Resolution providing for the issuance of a warrant in favor of AT&T Global Information Systems in the amount of \$13,312.29 in payment for emergency repairs to the computer aided dispatch system at the Emergency Operations Center, Bureau of Administration, Department of Public Safety.

Also,

No. 1012 Resolution authorizing the transfer of \$130,511.00 from various Department of Public Safety Code Accounts to the YCPC/Mayor's Youth Initiative Trust Fund, Index Code 255273.

Also,

No. 1018 Resolution authorizing and directing the Director of the Department of Finance to solicit proposals from firms and agencies interested in providing professional services which will enable the City to implement a revenue control and collection program relating to the collection of the City of Pittsburgh's Parking Tax from duly licensed parking lot operators.

Also,

No. 1019 Resolution providing for the issuance of a warrant in favor of the U.S. Nuclear Regulatory Commission, License Fee and Debt Collection Branch, in the amount of \$1,600.00 in payment of the Annual Materials Fee Invoice and providing for the payment of the cost thereof.

Also.

No. 1025 Resolution providing for the transfer of \$50,000.00 from Non-Departmental Code Account 46, Judgments and Interest on Judgment, Index Code 004606, to Department of Law Code Account 1081, Petty Claims, Index Code 108100.

Also,

No. 1026 Resolution authorizing the Office of the Mayor to enter into a License Agreement with Lease Trend, Inc. for the provision of an Office and Industrial Building and Tenant Database to assist in the Mayor's efforts to retain and attract businesses into the City of Pittsburgh, at a cost not to exceed \$11,000.00.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

I want to thank the Mayor's staff for submitting the information that we requested on Bill No. 1026, the Lease Trend Computer Information Database. They made it clear they would share that information between developing groups and others. I hope that satisfies Council's request and information.

Councilman Ricciardi.

Mr. Ricciardi:

Briefly, on Bill 1018 regarding Professional Services to implemented revenue control and collection program for the parking lot operators here in the City of Pittsburgh. I'm voting in the affirmative because of some of the remarks that were made at the committee session. That is, obviously, if there's going to be any type of large expenditures by operators that the URA, that there could be a program set aside for the URA as you stated Mr. Ferlo. Also, Mr. O'Connor, I'm voting for it also because you've stated that there might be some type of mechanisms that are not in the expense range of \$50,000.00 to \$60,000.00 that we spoke of a year or two ago. So, I'm voting in the affirmative as a courtesy to Mr. O'Connor who sponsored this bill. But, I'm going to keep my options opened for the future in making sure that we don't hurt small business owners with some huge increase cost expenditures. Thank you.

Mr. O'Connor:

I certainly agree and I don't know where — maybe that number was thrown around last year, but there's items as low as \$1,000.00, retailed at \$1,900.00. You're certainly right, noone should pay more than a couple of thousand dollars. If those figures came up, they were probably like in San Barbara 11 city parking lots are under one big computerized system. Maybe that's where that number came from, but I see nothing near that figure. You're right to double check it.

The Chair:

Thank you very much. Any other discussion?

If not, roll call vote on the bills.

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AVES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

Committee on Parks, Recreation and Youth Policy, Councilman Cohen for Mr. Cusick.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman Cohen.

MR. COHEN FOR MR. CUSICK PRESENTS:

Bill No. 1138

Report of Committee on Parks, Recreation and Youth Policy for September 25, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1013 Resolution providing for an Agreement or Agreements with various athletic and/or community organizations to operate concession stands on City owned property.

Also,

No. 1014 Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a lease agreement with the University of Pittsburgh (the 'University') to permit

the University to conduct an archaeological excavation and other educational activities at the site of the Neil Log House (the 'House') located in Schenley Park at no cost to the City.

Also.

No. 1015 Resolution providing for a Lease or Leases and/or License Agreement for the use of certain City property by the School District of Pittsburgh, in connection with the Bloomfield Head Start Center, at a cost not to exceed \$500.00 per month.

Also.

Resolution providing for a Lease or Leases and/or License Agreements for the use of certain City property by the School District of Pittsburgh in connection with the Arlington Middle School at no charge.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Councilman Cohen would like to recommit a bill involving the Bloomfield Recreation Center. After the meeting last week, we discussed the issue further. There was never any input from the Citizen Advisory Committee at the Recreation Center regarding Bill 1013. We have a community meeting planned this evening in Bloomfield. So, I'd like to ask that we recommit Bill 1013.

MR. COHEN motioned to recommit Bill 1013.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Thank you. Under remaining bills, is there any other discussion? Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Colleagues on Bill 1016, this will allow the Pittsburgh School Board to use the Arlington Gym for their recreational facility for the new Arlington Middle School. So, this is a perfect example of this City Body, this City Council, going into a partnership to go down to the road of neighborhood schools because Arlington Middle School is going to be a neighborhood school. One that's welcomed by the community and one that's supported by the Pittsburgh School Board of Directors and, unfortunately, there's not a gym and by this cooperation agreement, it's going to pave a way for recreation for the children from the neighborhood one step towards neighborhood schools for the Arlington and surrounding areas. Thank you very much for your cooperation.

The Chair:

Thank you Councilman. Again, that was Bill 1015 on the recommital in relation to the Bloomfield Recreation Center.

Any other discussion? Hearing none, the bill is now ready for final action.

All in favor of the passage of the bills, will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo

(Pres't)

NOES:

AYES: 8 NOES: none

Bill 1013

AYES: 6 NOES: 2

The Chair:

Moving right along, Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Councilman O'Connor.

MR. O'CONNOR PRESENTS:

Bill No. 1139

Report of Committee on Engineering and Construction for September 25, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Resolution further No. 1020 amending Resolution No. 131, effective February 28, 1990, as amended by Resolution No. 437, effective June 21, 1995, entitled, "Providing for a Contract or Contracts and/or use of existing Contracts for Construction/Reconstruction of various retaining structures, including, but not limited to Holt Street, Andover Terrace, Dakota Street, Pusey Street and Sprain Street and providing for the payment of the costs thereof", by decreasing the total project allocation by \$187,220.78 \$2,631.23 from \$184,589.55.

Also,

No. 1021 Resolution amending Resolution No. 305, effective April 6, 1987, entitled, "Providing for a Contract or Contracts and/or use of existing Contracts for the Rehabilitation of play areas at various locations including, but not limited to Spring Garden, Fineview and Lincoln Place, and providing for the payment of the cost thereof", by decreasing the total project authorization by \$2,718.25 from \$680,000.00 to \$677.281.75.

Also.

No. 1022 Resolution amending Resolution No. 1434, effective December 31, 1993, entitled, "Providing for a Contract or Contracts and/or the use of existing Contracts for Street Tree Planting at various locations and providing for the payment of the cost thereof", by decreasing the total project allocation by \$1,040.00 from \$50,000.00 to \$48,960.00.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

That concludes our Reports of Committees. Hopefully, there's no matter to be brought before the Body under Motions and Resolution. At this time, I will entertain a motion to adjourn.

Mr. Hertzberg:

What time is tomorrow's meeting?

The Chair:

Excuse me, that's for reminding us.
The Standing Committee Meeting, the regular order of business tomorrow,

Wednesday, will be at 11:00 a.m. tomorrow instead of 10:00 a.m.

Mr. Udin:

There's a press conference tomorrow morning at 10:00 a.m. regarding the Competitive Pittsburgh Task Force Report. As you know, Council is being briefed individually and will be briefed by the President of the Task Force, Mr. O'Neill tomorrow morning. And, it's just the timing of the press conference that I've just requested your indulgence to start a little bit late.

Mr. Hertzberg:

Councilman that briefing for Council is that at 9:00 a.m?

Mr. Udin:

Yes.

The Chair:

Very good. Thank you for reminding that of the new hour. Just for tomorrow the regular order of business will be at 11:00 a.m. tomorrow, Standing Committee Meeting of Council as opposed to 10:00 a.m.

This legislative session stands adjourned. Thank you.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXX

October 8, 1996

No. 38

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President LINDA M. JOHNSON-WASLER.....City Clerk JOHN R. MASCIO.......Deputy City Clerk

The Chair:

Thank you and good morning to all. We have a number of honored guests in the audience today and, certainly, once again we've reached the time for the tremendous Columbus Day Parade. We have a delegation of the Parade Committee representatives here.

I would like to ask that the fourth and fifth graders from McCleary School come forward to assist in the Pledge of Allegiance. And also, our guests here this morning, Charity and her mom and family members if you could all come forward we'll move right to the Pledge of Allegiance. At this time I would ask all to please rise for a Pledge of Allegiance and please remain standing for a moment of silent prayer so that we may have peace throughout the world.

PRESENTATIONS

The Chair:

Pittsburgh, PA Tuesday, October 8, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo

Mr.O'Connor

(Pres't)

Thank you. Thank you very much colleagues. We're very honored this morning not only to have the fourth and fifth graders here from McCleary School who are going to do a little bit of a government tour with the cooperation of the Mayor's Office and we're very appreciative that they've helped us lead the Pledge of Allegiance this morning. Thank you, thank you to all the students that are here and all of the representatives and teachers from McCleary School.

And, also here this morning to join one of their classmates, a young girl to my left there, Charity Kovacich and we want to pay special honor and recognition to Charity, because she did something very important that affected the lives of many loved ones on the street where she lives. And, we want to recognize her this morning and I'd like to read the following Proclamation, then, introduce her mom and if there are other family members out there, you're welcome to come forward also and

join us for a picture. You don't have to be bashful. So, with your pleasure, colleagues, I'd like to read the following Proclamation, which I'm going to hand to Kelly for one second for Charity.

MR. FERLO PRESENTED:

No. 1140. WHEREAS, on September 14, 1996, Charity Kovacich, a 4th grade student at McCleary Elementary School, was awakened at 6:30 a.m. by the smell of smoke; and

WHEREAS, Charity, without knowing where the smoke was coming from, immediately called the 911 Operator, then, she proceeded to awaken her mother, Kelly Kovacich, and evacuate their home, which is located at 4838 Plum Way in Lawrenceville; and

WHEREAS, Charity soon discovered that it was a neighbor's house that was on fire, and she quickly began to wake up her other neighbors ensuring their safety before the fire had a chance to spread and cause greater damage and injury; and

WHEREAS, Charity's acts of heroism did not stop when her family and neighbors were safely evacuated from their homes; she immediately began to help her neighbors remove their pets from the surrounding homes; and

WHEREAS, Charity Kovacich deserves tremendous accolades and recognition for her selfless and heroic acts in the early morning hours of September 14, 1996.

NOW, THEREFORE BE IT RESOLVED, that the Council of he City of Pittsburgh does hereby proclaim Tuesday,

October 8, 1996 as "Charity Kovacich Day" in the City of Pittsburgh.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh commends and applauds Charity Kovacich for her alert and heroic acts in the face of a life threatening situation.

MR. COHEN moved to adopt the resolution.

MS. McDONALD seconded the motion.

Which motion prevailed.

The Chair:

We have Charity's mom here, Kelly and her grandma, Carol Kovacich is here also who is back there taking pictures. And, again, I want to thank the presence of the fourth and fifth graders from McCleary School here today and, I believe, Mrs. Susan Glitton (phonetic), Volunteer Coordinator from McCleary; Molly Peck, Support Teacher at McCleary, Charlotte Neely, who is one of the teachers of the fourth and fifth graders at McCleary and Nancy Froelich (phonetic), Technological Advisor. I'm not sure what a Technological Advisor is, but it sounds great and that's one of the reasons why the Secretary of Education visited McCleary just a few short weeks ago, because of the unique program they have there; not only educationally in terms of their curriculum, but their unique interaction with the Lawrenceville community. It's a quality program that we're very proud of and. certainly, the Pittsburgh School District is proud of and we in the Lawrenceville community are proud of. In fact, we're so proud we'd like to be able to get more kids in the school, which is a problem.

hopefully, some of those issues will be worked out.

At this time I want to ask Charity's mom, Kelly -- we know Kelly, because Kelly is very active in the Lawrenceville community and she is helping to coordinate the Lawrenceville Halloween Parade, which is a great event that many of you all come down to. So, I'd like to have Kelly say a few words. Then, she may be too bashful; I don't know, maybe, she won't be too bashful and maybe we can get Charity next to say a few words. But, her mom, Kelly. She's bashful too, but I told her take your time.

Mrs. Kelly Kovacich:

I'd like to say I'm very proud of my daughter. I taught her that since she was in kindergarten and I just hope more parents learn, you know, to teach their kids the same thing.

The Chair:

Good speech. Charity, would you like to say a few words or are you too bashful? Come on Councilman O'Connor you're good with kids.

Mr. O'Connor:

Come on, Charity, tell us about that morning.

Ms. Charity Kovacich:

I don't want to.

Mr. Hertzberg:

Don't be scared, we won't bite you.

The Chair:

Thank you, though. She's a little overwhelmed. Well, Charity, we just want to thank you; all of my colleagues and, certainly, the Lawrenceville community and, certainly, your neighbors want to thank you very much for what you did. And, you set a good example for all the other kids. And, in fact, you set a good example for an awful lot of adults too and we really want to thank you for that. Let's give her another hand.

And, I believe, the class is going to go over to the Mayor's Office. We want to thank you for taking time out of your school schedule to be down here today in City Council. And, again, a big thank you, especially, to Charity here. Thank you very much.

We have a number of guests in the audience today and at this time I'd like to call upon Councilman Onorato.

Mr. Onorato:

At this time everyone associated with the Columbus Day Parade please come forward. As they are walking forward we have with us today Guy Costa, who is the Director of the Parking Authority, but also Chairman of the Committee, Parade Committee. We have Mike Marmo, Board of Viewers, a distinguished attorney in this area, at least, some people say of Mike. Guy Mattola, the Grand Marshall and also present of ICON, a lot of you might remember the former name as Allegheny Business Machines. We have Joe Natoli, the County Director of Parks and Rec. It is Parks and Rec now, right, Joe?

Mr. Natoli:

Yes, slash.

Mr. Onorato:

Slash, okay, and we have Mike Acquaviva with us for publicity. I'm going to read the Proclamation in and get right to the speakers that have some comments.

MR. ONORATO PRESENTED:

No. 1141. WHEREAS, The Columbus Day Parade Committee is an organization consisting of representatives of all the established social and cultural Italian/American groups in the area; and

WHEREAS, the 12th Annual Columbus Day Parade will be held on Saturday, October 12, 1996; and Mr. Guy Mattola will be the Grand Marshall; and

WHEREAS, the Columbus Day Parade Committee includes Mr. Guy Costa, Chairman/President, Mr. Art Trunzo. Parade Director, the Honorable Frank Lucchino, Founder, Mr. Joseph Natoli, Festival Director, Ms. Cathy Fusca, Artistic Director, Ms. Mari Procopio Charletta, Director of Bands, Finance Director Michael Marmo, Planning Director, Nello Giorgetti, Publicity Director Mike Acquaviva and Special Events Director Tony Ferraro; and

WHEREAS, the Columbus Day Parade and Festival is a significant event for the Italian community as well as the entire City of Pittsburgh. It is an occasion to recognize the many Italian/American organizations and the hundreds of thousands of Italian/Americans in the area and their achievements.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby congratulate and commend the Columbus Day Parade Committee for its outstanding contributions to the Italian/American community.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

I'm going to first turn this over to Guy Costa, who is the Chairman and I would, then, like to hear from —in this order, I think, Mike Acquaviva to talk about our parade, but also the Grand Marshall; then, hear from the Grand Marshall. So, at this time, Guy Costa, Guy.

Mr. Costa:

Thank you, Dan, and thank you City Council. On behalf of the 12th Annual Columbus Day and Festival Committee, I want to thank the City of Pittsburgh and City Council Members here for all that you've done in the past and also what you've done for us this year. Without your support, the City's support, we couldn't make it possible to have one of the best parades in Western Pennsylvania. We're really proud. We're a proud community, a proud group and we're proud to continue our proud traditions of showing a quality parade to the residents of the City of Pittsburgh.

At this time I'm going to introduce Michael Acquaviva our Publicity Director. Mike is going to give you a little information about the parade on this Saturday as well as a little background on our Grand Marshall, Guy Mattola. Thank you.

Mr. Acquaviva:

Mr. President, never put a plate of pasta or a bottle of wine or a microphone in front of an Italian or else you'll be here all day. We'll try to make this as brief as possible. The parade, of course, is Saturday at 11:00 a.m. at the Civic Arena. We'll go down to Grant Street and the Boulevard of the Allies and over to the festival at the Station Square. And, there we will have Jane Ferro and Icompanoli (phonetic). This group is so great. Its an Italian Folk Group. Its known worldwide and you have to come down and see that alone. There will be food booths and everything. It's a great parade, but I want to spend just a few minutes here on our Grand Marshall, Guy Mattola, and we take some time in selecting these individuals who, maybe, best represent not just the Italian heritage and the Italian traditions and the family values and all the things we think we're great at. But, it turns out that Guy Mattola and people like Guy represent the ethnic community that has made Pittsburgh really so great; many humble beginnings, work like hell, truly. And, when you do reach a certain level of success you turn around and give it back to the community and this is what Guy Mattola has done. There has been an article in the Tribune Review. which I think, explains it perhaps better than I can do this. I just want to read one small thing that Guy has told us.

We were raised in a traditional Italian home and our strongest memories are of working together and enjoying the times we spent together as a family. In keeping with that tradition I'd like to encourage all the parents in the area to take their children to a good old fashioned family style parade and festival. Turn the TV off for one day and join us at the Columbus Day Parade and Festival. It will be a special day, perhaps, to build a memory or two that you can share with your family some time down the road. Thank you very much and thanks, Guy Mattola, for being our Grand Marshall.

Mr. Onorato:

And, at this time we'll have Guy Mattola come forward, Guy congratulations.

Mr. Mattola:

Thank you, sir. I want to tell you I'm very excited that they have chosen me to be the Grand Marshall for the Columbus Day Parade. Allow me to accept this high honor on behalf of the 250,000 Italian/Americans in the area and all the ethnic groups that contribute to the Pittsburgh community. I want to thank you very much and let me say Guy Costa said it best when -- about the Columbus Day Parade. This is truly a family affair all day long. Thank you.

Mr. Onorato:

And, we also have the Deputy Mayor Sal Sirabella who has been very active over the years with the parade. Thanks for joining us Deputy Mayor. Thank you everyone.

The Chair:

Councilman O'Connor, I believe, you have some special guests in the

audience this morning. Councilman O'Connor, I believe, you have some special guests and since -- are you waiting for other guests?

Mr. O'Connor:

I'm waiting for one more.

The Chair:

Okay, my apologies. Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. This resolution is sponsored by myself and Councilman O'Connor. Would all those from Project Bundle-Up please come up? Bundle yourselves up here.

It's hard to believe it's time again for Project Bundle-Up, but it is and with the weather out today, I guess, it's appropriate. This is just a wonderful, wonderful project that all of you are familiar with and it's sponsored by, of course, the Salvation Army, the WTAE TV and WTAE Radio. And, it provides clothing and other items for over 6,000 needy children every year and this year is no exception. In fact, I think, they're going to serve 6,600 children and it's a wonderful project and I'd like to read this Proclamation.

MR. COHEN PRESENTED:

No. 1142. WHEREAS, Project Bundle-Up is a joint community service effort of the Salvation Army, WTAE-TV and WTAE Radio that has provided warm winter coats and outerwear to more than 61,100 children and senior citizens

throughout Western Pennsylvania since 1986; and

WHEREAS, each fall season, Project Bundle-Up sponsors Personal Shopping Day, a day when volunteers take children between the ages of 6 and 12 to various stores to shop for hats, coats, scarves and mittens and provide these children with breakfast, entertainment and a goodie bag; and

WHEREAS, on Saturday, October 12, 1996 at 7:15 a.m., Project Bundle-Up will pair more than 1,000 volunteers with needy children to participate in this fall's Personal Shopping Day at various retail stores throughout the City of Pittsburgh, Allegheny County and Western Pennsylvania.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the volunteers of Project Bundle-Up for their important contribution and congratulates them on their lasting success in providing much needed comfort and warmth throughout the winter to children and senior citizens of the City of Pittsburgh and surrounding area; and

BE IT THEREFORE RESOLVED, that the Council of the City of Pittsburgh declares Saturday, October 12, 1996, to be Project Bundle-Up Day in the City of Pittsburgh.

MS. McDONALD moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you very much. And, again, we just want to congratulate you, Miriam. I'll introduce all of you later. I want Councilman O'Connor to say a few words. But, I want to congratulate all of the volunteers and all of the staff who worked so hard. I can't think of a better thing to work on than this. It's just a wonderful charity and wonderful contribution to both children and senior citizens in the City of Pittsburgh and the surrounding area. And, I want to also very much thank the Salvation Army, WTAE-TV and Radio for their wonderful support. Joe DiNardo supports this full force, that's for sure. And, let me call on Councilman O'Connor to say a few words, who has been involved in Project Bundle-Up for years, Councilman.

Mr. O'Connor:

Thank you, Dan, I think you've covered it well. I think, actually all Council Members have been very involved I know with the auction and the telethon coming up you'll be talking about it. But, probably, the most rewarding thing of all the charities that I'm involved with is you actually see and touch the product and you're there that day in helping, seeing the bright eyes of the children getting their coats and their sweaters and scarves and hats. It's really quite a day and very moving and I want to thank all the Council Members. I know we all get out there and work that morning. So, please support Project Bundle-Up it's a great cause.

Mr. Cohen:

Thank you, Councilman. Let me introduce the staff real quick. Now for the people who really bring the show to us and; that is, you all know Miriam May, who is the Director of Project Bundle-Up and does

such a wonderful job. Also, Katara Best and Brenda Barnes; did I get it right? Good, who also are staff members who work very hard on this project. Miriam, please come up here and accept this Proclamation and I hope an evenmore successful Project Bundle-Up this year than any other year, congratulations. Here you go, that's for you.

Ms. May:

I just want to take a minute. A lot of you have actually gone shopping with the project in the past and we appreciate it. I know you're shopping on Saturday morning. We have coffee and we know it's early in the morning, but as important as it is to keep these children warm and this morning you, certainly, needed a coat when you went out of the house. This also warms these children up inside. It's a real heart to heart experience. It's a real self-esteem component and we're happy that the City of Pittsburgh has supported the project since its inception. Thank you again.

Mr. Cohen:

Well, thank you all again and good luck on a wonderful day and let's have a little picture.

The Chair:

Councilman O'Connor, have your guests arrived yet?

Mr. O'Connor:

Marie DiNardo is the Chairman of the Board of Trustees of the Sons of Columbus and it's quite an honor to have you here. This is a big weekend for our whole community and, especially, the Italian community and I want to read this Proclamation to you.

MR. O'CONNOR PRESENTED:

No. 1143. WHEREAS, the Sons of Columbus of America, Incorporated, is dedicated to promoting the ideals and qualities as exemplified by the renowned explorer and discoverer of America, Christopher Columbus, and to encouraging civic leadership; and

WHEREAS, since April 9, 1925, the Sons of Columbus of America have established a superior record of public service as evidenced by their efforts to restore Christopher the Columbus Monument in Schenley Park and their leadership in organizing the commemoration of the Ouincentennial Celebration honoring the 500th Anniversary of the Discovery of America in 1992; and

WHEREAS, the Sons of Columbus will be holding their 71st Annual Banquet on Friday, October 11, 1996. Included in the festivities, will be the second annual crowning of "Miss Bella Italia". The Sons of Columbus will also celebrate a special Columbus Day Mass at St. Paul's Cathedral on Sunday, October 13, 1996, followed by a Memorial Service at the Christopher Columbus Monument in Schenley Park; and

WHEREAS, the Sons of Columbus 1996 banquet is honoring Art Trunzo for his work and dedication to the ideals and traditions of the Italian community and providing a tribute to Umberto DiNardo (posthumously) in remembrance of his love and devotion to his Italian heritage.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh extends its thanks and appreciation to the Sons of Columbus for its many years of service to the City and extends its best wishes and congratulations to this year's honorees; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Friday, October 11, 1996 as "Sons of Columbus Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MS. McDONALD seconded the motion.

Which motion prevailed.

Mr. O'Connor:

And, I really want to mention Marlene Cassidy, who is not in the room, really did a lot of -- really, I guess, brought us all together with your husband, Umberto, did a terrific job. If you ride through Schenley Park you'll just marvel at the statue. It's outstanding and it's lit. Every time I ride through I think of you and your whole family for all the work you've done. So, congratulations.

Mrs. Marie DiNardo:

It's an honor and a privilege to be here this morning to accept the Proclamation on behalf of the Sons of Columbus. This year is of special interest to me, because they are honoring my late husband, Umberto. So, if everyone can come up, even to our Mass at 11:30 at the cathedral we'd love to have you. Thank you very much.

The Chair:

Councilman O'Connor, do you have one to be read into the record or Councilman Onorato, one to be read into the record, somebody?

Mr. Onorato:

I have one to read for Councilman Cusick.

The Chair:

Well, where is Councilman Cusick?

Mr. Onorato:

He asked me to read this he had a conflict.

The Chair:

Well, wait a minute. Is he coming back into Chambers?

Mr. Onorato:

No, and we have somebody here to accept. Would all the members of Mom's House come forward, please?

The Chair:

Councilman Onorato.

Mr. Onorato:

To Mary, the Executive Director of the Mom's House on behalf of Councilman Cusick he asked me to read this for him. He had a conflict and I'm happy to read this considering we might have an additional Mom's House on the Northside in my district, which we're going to work to, hopefully, complete.

MR. ONORATO PRESENTED FOR MR. CUSICK:

No. 1144. WHEREAS, Mom's House was first founded in Johnstown, PA in 1983, with their location in Pittsburgh opening in August of 1984; and

WHEREAS, Mom's House is a non-profit comprehensive support center for single low-income student parents, whose primary service is free child care for the infants and toddlers of young students enabling them to return to complete high school, college or other educational opportunities; and

WHEREAS, in addition to child care, Mom's House also offers free services such as informal classes in parenting and related subjects, counseling and tutoring, help with job placement upon graduation, and assistance with practical needs such as food, clothing and nursery furniture, providing these valuable services at its Brookline and Swissvale Houses; and

WHEREAS, inasmuch as 1,500 children are born in the County annually to unwed mothers who are forced to withdraw from school along with responsible fathers. Mom's House brightens the outlook on what normally would be a dim future for thousands of student parents and their children in Pittsburgh over the past 12 years.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends the staff, volunteers and supporters of Mom's House, Inc. of Pittsburgh for ten years of unique

and valuable services provided to single, low-income student parents who have availed themselves of the comprehensive programs offered by Mom's House and who have completed their educations, secured employment and have broken the welfare cycle.

MR. HERTZBERG moved to adopt the resolution.

MS. McDONALD seconded the motion.

Which motion prevailed.

Mr. Onorato:

Mary, just let me say thank you and congratulations on the work you're doing. You're actually doing what a lot of people preach about, about helping these individuals and the number of lives you've saved couldn't even be measured in dollars. And, believe it, we appreciate this in the City. Thank you. Do you want to say a few words about the program?

Mary:

On behalf of everyone connected with Mom's House, especially, the ones that we serve, the mothers and children, I want to thank you for this Proclamation and this honor.

For those of you who are fairly new to City Council. I thought, maybe I'd just briefly recap what City Council has done for Mom's House during the years. In 1985 you gave us half the purchase price of our Brookline house. In 1986 you gave us money that helped us re-do three bathrooms and three kitchens. There were other renovations through the years in addition to salaries for our teachers. So, the Pittsburgh

City Council over the past eleven years has significantly helped us to accomplish the successes that our mothers have enjoyed. We have young moms now who are pharmacists and teachers and para-legals and nurses and just about every profession you can imagine. They've broken the welfare cycle; they and their children can look forward to bright futures, because of the help of people like you. So, as Dan mentioned, hopefully, at this time next year we'll have a house on the Northside and be able to serve young women over in that area. So, thank you again so much for everything you've done.

Mr. Onorato:

Thank you.

The Chair:

Thank you. I believe, we have a couple to be read into the record. If the Clerk could please --

MR. CUSICK PRESENTED:

No. 1145. WHEREAS, Mom's House in Pittsburgh is holding it's First Annual "Courageous Woman Award" Dinner on October 3, 1996; and

WHEREAS, the single student mothers who pursue their schooling with the help of Mom's House are women of courage and determination in overcoming obstacles and meeting challenges in pursuit of their educational goals; and

WHEREAS, Peggy Finnegan is a Woman of Courage in that she has overcome a life-threatening disease while demonstrating great firmness of character, determination and spirit at home and at work to others facing adversity.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby join with Mom's House in congratulating Peggy Finnegan on her reception of the First Annual Courageous Woman Award and commends her unconquerable spirit.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, October 3, 1996 as "Peggy Finnegan Day" in the City of Pittsburgh.

MR. O'CONNOR PRESENTED:

No. 1146. WHEREAS, Parkinson's Disease is a chronic, progressive neurodegenerative disorder affecting as many as 1.5 million Americans and approximately 14,000 Southwestern Pennsylvanians; and

WHEREAS, the Tri-state Pittsburgh Chapter of the American Parkinson Disease Association received its Charter in November, 1994. The two main goals of the Association's Pittsburgh chapter is to increase the public's awareness of Parkinson's Disease and raise funds for research to find a cure with the assistance of the University of Pittsburgh's basic Parkinson's Research facilities, one of the country's largest; and

WHEREAS, neuroscientists uniformly agree that more is known about Parkinson's Disease than any other neurological affliction and believe that a cure is short-in-coming as they describe extremely promising research that could be

moving rapidly if adequate funding were available; and

WHEREAS, The Morris K. Udall Parkinson's Research and Education Act, currently under consideration, would provide for a focused and aggressive research program by providing \$100 million per year for Parkinson's Disease research which is currently severely underfunded.

NOW. THEREFORE BE RESOLVED, that the Council of the City of Pittsburgh does hereby extends its thanks and appreciation to all those who are working to support those afflicted with Parkinson's Disease and devoting their time and energy to raise funds to find a cure and commends the American Parkinson's Association. sufferers Disease and volunteers for their continuing efforts to fight this crippling and degenerative disease: and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby support the Morris K. Udall Parkinson's Research and Education Act and the important mission of the American Parkinson Disease Association.

MR. ONORATO PRESENTED:

No. 1147. WHEREAS, on October 6, 1683, thirteen families of a Mennonite sect arrived from Krefeld, Germany, on a ship called the "Concord", often referred to as the "German Mayflower"; and

WHEREAS, this arrival is regarded as the beginning of the history of Germans in America; and

WHEREAS, their immigration marks the first major stage in the history of over seven million immigrants, who, in the course of over three centuries, left German speaking regions of Europe to head for the shores of North America; and

WHEREAS, numerically, this group comprises the largest single ethnic group in America, their descendants comprising approximately 28% of the current U.S. population; and

WHEREAS, it is with great pride that we recognize that our German-speaking immigrants and their descendants have played no small part in shaping and development of the social, cultural, educational, economic and religious institutions of their American homeland; and

WHEREAS, with them, they brought along a wealth of time honored traditions one of them being their love for music and the noble art of German song, which eventually gave birth to our own German singing societies. These societies are housed in the same building where we are celebrating German-American Day 1995. These two singing groups are called the Teutonia Mannerchor and Teutonia Damenchor.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes all those of German descent and commends them for their contributions to the U.S.

FURTHER, BE IT RESOLVED, that the Council of the City of Pittsburgh declares Sunday, October 6, 1996 as German-American Day in the City.

MR. HERTZBERG moved to adopt all the resolutions.

MS. McDONALD seconded the motions.

Which motion prevailed.

The Chair:

At this time we'll take a two minute recess to get a quorum; thank you, two minute recess.

(Off the reco

The Chair:

That concludes our read and adopted resolutions. Are there any other matters before this body; unfinished business, reports of special committees? There being none we will move to the reports of committees. The Committee on Finance and Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman Udin. Well, we will go back to the Presentation of Papers.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

No. 1041. Resolution authorizing the transfer of One Hundred Eighty-Five Thousand Dollars (\$185,000.00) from Code Account Emergency Telephone Act Trust Fund (ETATF), Index Code 253161 to the Microwave Communications System Trust

Fund (MCS), Index Code 252593 for payment of costs to purchase a microwave communications system for the Department of Public Safety.

Also,

No. 1042. Resolution repealing Resolution 198, effective April 18, 1996 entitled "Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts; or Agreement or Agreements for the purchase of a 9-1-1 emergency telephone system for the Emergency Operations Center, Bureau of Administration, Department of Public Safety, and providing for the payment thereof at a cost not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000.00).

Also,

No. 1043. Resolution amending Resolution No. 882, effective November 18. 1994, entitled; Resolution providing for a Contract or Contracts; or the use of existing Contract or Contracts Agreement or Agreements to purchase a microwave communications system for the Operations Center Emergency providing for the payment thereof by increasing the contract amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00).

Also.

No. 1044. Resolution transferring the sum of Fifteen Thousand (\$15,000.00) Dollars from Code Account 1144, Index Code 114405, Gasoline and Diesel Oil, Department of General Services and the sum of Fifteen Thousand (\$15,000.00) Dollars from Code Account 1149, Index

Code 114900, Tires, Tubes and Chains, Department of General Services, transferring the sum of Twenty-five Thousand (\$25,000.00) Dollars from Code Account 1132-2, Index Code 113225. Telephone Services Equipment, and Department of General Services and transferring the sum of Twenty-five Thousand (\$25,000.00) from Code Account 1132-5, Index Code 113258, Telephone Service and Equipment, Department of General Services, to Code Account 1148. Index 114801. Automotive Parts. Department of General Services.

Also.

No. 1054. Resolution providing for the issuance of a \$2,376.00 warrant in favor of United Presbyterian Church, c/o Leonard Zankel in settlement of claim for sidewalk damage due to City tree roots.

Also.

No. 1055. Resolution providing for the issuance of a warrant in the sum of \$2,500.00 to Joseph Kpakpo, c/o Jeffrey Weiss, Esquire, 1600 Law & Finance Building, 429 Fourth Avenue, Pittsburgh, PA 15219, in full and final settlement of the action filed at Court of Common Pleas AR95-2197, alleging personal injuries which were caused by a motor vehicle accident on or about November 23, 1994.

Also,

No. 1056. Resolution providing for the issuance of a \$1,503.25 warrant in favor of Robert Armitage in settlement of claim for an accident that occurred when a City tree fell on his vehicle.

Also,

No. 1057. Resolution providing for the transfer of funds from Department of Finance Code Account 45, Health Insurance, Municipal Employees, Index Code 004507, to Parks and Recreation Special Summer Food Service Trust Fund, Index Code 270256 in the amount of \$400,000.00 (Four Hundred Thousand Dollars).

Also,

No. 1058. Resolution authorizing the City of Pittsburgh to issue a quit-claim deed for property designated as being Block 34 B, Lot 185, Old and Rapello Streets. Block 34 B, Lot 159, Rapello Street, and Block 34 B, Lot 160, rear Rapello Street in the 18th Ward, to the Pennsylvania Department of Transportation for the sum of Seven Thousand Two Hundred (\$7,200.00) Dollars. This property is located in the Saw Mill Run/Liberty Tubes Interchange Project.

Also,

No. 1059. Resolution authorizing the City of Pittsburgh to issue a quit-claim deed for property designated as being Block 34 G, part of Lot 190, Saw Mill Run Blvd., in the 18th Ward, to the Pennsylvania Department of Transportation for the sum of Eight Hundred (\$800.00) Dollars. This property is located in the Saw Mill Run/Liberty Tubes Interchange Project.

Also.

No. 1060. Resolution authorizing the City of Pittsburgh to issue a quit-claim deed for property designated as being Block 5 S, part of Lot 97, Saw Mill Run Blvd. in the 19th Ward, to the Pennsylvania

Department of Transportation for the sum of Five Thousand Four Hundred (\$5,400.00) Dollars. This property is located in the Saw Mill Run/Liberty Tubes Interchange Project.

Also,

No. 1061. Resolution authorizing the sale of City of Pittsburgh owned property in the 17th Ward, 109 E. Carson Street, designated as Block 4 H, Lot 10, to Donald H. Fugent, for the sum of \$3.200.00.

Also,

No. 1062. Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1063. Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

Also,

No. 1064. Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been

placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

Also,

No. 1065. Resolution providing for the issuance of a \$2,500.00 warrant in favor of Michael Dietrich in settlement of a claim involving the replacement of his sidewalk by the City.

The Chair:

You've heard the reading and title of the bills is there any discussion? Councilman Onorato.

Mr. Onorato:

I just want my comments brought forward on Bills 1059 and 1060. I will be voting, no, only because it's Penn DOT and their reflection on the neighborhood. Until they live up to their obligation and complete one project, then, I'll start supporting another project. But, build me the bridge to Sarah Heinz's house and I'll give you a vote, until then, no.

The Chair:

Thank you, Councilman. Other discussion? We don't have a memo from the Law Department on Bill 1065. I'd like to, respectfully, ask that we amend the bill. That the warrant only be issued until such time that the Solicitor has effectively ruled on the matter and you have the wording in front of you.

As is amended, No. 1065, provided proper authorization and approval of the Solicitor has been obtained. That's in light

of the discussion last week. What is the pleasure of the body?

MR. HERTZBERG moved to adopt the amendment to Bill 1065.

MS. McDONALD seconded the motion.

The Chair:

The bill is amended. Any other discussion? Any other discussion on any of the other bills? Roll call vote on all the bills on Finance.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr.
Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo

AYES 8 NOES none,

On Bill No. 1058

AYES 6

NOES 2 (Mr. Ferlo and Mr. Onorato)

On Bill No. 1059

AYES 6

NOES 2 (Mr. Ferlo and Mr. Onorato)

On Bill No. 1060

AYES 6

NOES 2 (Mr. Ferlo and Mr. Onorato)

On Bill No. 1044

AYES 7

ABSTAIN 1 (Mr. O'Connor)

The Chair:

Councilman Onorato there are actually three bills.

Mr. Onorato:

I'm sorry, was there a companion bill there?

The Chair:

1058, 1059 and 1060.

Mr. Onorato:

I missed 1058, there will be three no votes; 1058, 1059, 1060, no.

Mr. O'Connor: Let me abstain on 1044, since there are some discrepancies, I'm not sure.

The Chair:

Thank you, all the bills having received the legally required number of votes have been approved finally.

Committee on Public Works, Water & Environmental Services, Councilman Ricciardi.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you, Councilman Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1045. Resolution amending Resolution No. 229, effective April 22, 1995, entitled "Providing for a Contract or Contracts, or the use of existing Contracts, for fence repairs, concrete repairs, asphalt repairs, greenway maintenance, the installation or repairs of picnic shelters, play area improvements and major repairs and emergencies at various parks and park facilities throughout the City of Pittsburgh," by increasing the total allocation by \$40,000.00.

Also,

No. 1046. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of landscaping/maintenance equipment for the Department of Public Works, and providing the payment of the cost thereof not to exceed Eighty-Five Thousand (\$85,000.00) Dollars.

Also,

No. 1047. Resolution providing for a Contract or Contracts, or the use of existing Contracts, for street resurfacing programs such as ultra thin hit mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling and truck rental, brick and blockstone repairs, concrete slab replacement and parks related asphalt work in CD areas throughout the City of Pittsburgh and providing the payment of the cost thereof not to exceed

Eight Hundred Ninety-Thousand (\$890,000.00) Dollars.

Also,

Resolution amending No. 1048. Section I of Resolution No. 364, approved May 20, 1996, effective May 23, 1996, entitled "Granting unto the Grace Memorial Presbyterian Church, 1000 Bryn Mawr Road, Pittsburgh, Pennsylvania, 15219, their successors and assigns, encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the right-ofway on Iowa Street in the 5th Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 1049. Resolution granting unto Point Park College, 201 Wood Street, Pittsburgh, Pennsylvania, 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a total of five (5) trees and grates in a portion of the sidewalk area along Boulevard of the Allies in the 1st Ward, 6th Council District of the City of Pittsburgh.

Also.

No. 1050. Resolution granting unto Patrick & Ursula Gordon, 636 Wymore Street, Pittsburgh, Pennsylvania, 15220, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a parking pad on a portion of the right-of-way on Wymore Street in the 20th Ward, 2nd Council District of the City of Pittsburgh.

Also,

No. 1051. Resolution changing the name of Farlson Square to Elmer L. Williams Square between Shetland Street and Winslow Street located in the 12th Ward, 9th Council District of the City of Pittsburgh.

Also,

No. 1052. Resolution vacating a portion of Medhurst Street between Crane Avenue and Hill Way in the 20th Ward, 2nd Council District of the City of Pittsburgh.

The Chair:

You have heard the reading and title of the bills, is there any discussion? Hearing now the bills we're ready for final action. All in favor of the passage of the bills will vote "aye" when your names are called; if you're opposed vote, "no". Will the Clerk please call the roll.

The ayes and noes were taken agreeably by law, and were:

AYES

Mr. Cohen Mr.
Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

AYES 8

NOES 0

The bills having received the legally required number of votes have been approved finally.

Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Mr. Cohen.

MR. COHEN PRESENTED:

No. 916. An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article III, Organization, Chapter 116, Department of Public Safety, Section 116.02, Powers and Duties of Director; Title Change, by adding subsection (e) to add the responsibility for oversight of the Police Force accreditation process.

Also.

No. 917. Resolution directing the Administration to initiate accreditation procedures with the Commission on Accreditation for Law Enforcement Agencies for the City of Pittsburgh Police Force.

The Chair:

You have heard the reading and title of the bills; is there any discussion? Councilwoman McDonald.

Ms. McDonald:

I'd like to have my comments brought forward and to thank my colleagues for the preliminary vote. I hope that I do have a majority here today for the accreditation. It's not a Valerie McDonald legislation. I believe, it's just something that needs to be in the City record as law that this Council body, regardless of if we change, if the Mayor changes, whatever, that there will be some form of standardization and professionalization among -- within our Police Force that kind of shakes off all kinds of political ties, that would be, basically, very neutral. And, again, just very neutral in terms of its professionalism and that will withstand whatever changes we have here on Grant Street forever so that our Police Force will remain more professional. We're moving in that direction, but we need more. And we also, again, need some type of process in place so that regardless of how anyone feels, that the accreditation will be the force behind professionalizing our Police Force and not necessarily local opinion. It will be a national standard. But, I do want to thank the entire body for their vote.

The Chair:

Thank you. Other discussion? I would just ask as a follow up to Councilman Cohen chairing Public Safety, give us a report back on the progress of the implementation of the bill in relation to contracting with this agency and bringing their services on line.

Any other discussion? Councilman O'Connor.

Mr. O'Connor:

I just want to commend Councilwoman McDonald. I think, this is the type of standards and improvement, management standards that will improve our Police Force and professionalize them and, I believe, this is the direction we

should be going. So, I want to thank her for doing this.

The Chair:

Thank you. Hearing no other discussion, if you are in approval of the bill vote "aye"; if you're opposed vote "no". Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr.
Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

AYES 8

NOES 0

The bills having received the legally required number of votes have been approved finally.

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you, Mr. O'Connor.

MR. O'CONNOR PRESENTED:

No. 1119. Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts or use of existing

Contracts and providing for the purchase of equipment and materials in connection with the Park Reconstruction Program in the CD areas; and providing for the payment of the cost thereof not to exceed Two Hundred Fifty Thousand (\$250,000.00) Dollars.

The Chair:

You have heard the reading and title of the bills; is there any discussion? Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote "aye" when your names are called; if you're opposed vote "no". Will the Clerk please call the roll.

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Cohen Mr.
Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

AYES 8 NOES 0

The bills having received the legally required number of votes have been approved finally. That concludes our Reports of Committees. Since the recess through the Chair off in relation to running the meeting, we will go back to Presentation of Papers, beginning with Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you. Councilman Cohen for Mr. Cusick, Committee on Parks and Recreation and Youth Policy.

Mr. Cohen:

I have no idea, but I don't see any papers here, Mr. President. No papers.

The Chair:

Thank you, Councilman Cohen. Councilman Hertzberg, Committee on Lands and Buildings and Procurement.

Mr. Hertzberg:

No papers, Mr. President.

The Chair:

Thank you. Councilwoman McDonald, Committee on Housing, Economic Development and Promotions.

Ms. McDonald:

Mr. President.

The Chair:

Thank you, Councilwoman McDonald.

MS. McDONALD PRESENTED:

No. 1148 Resolution providing for the filing of an amendatory application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a Grant in connection with the Federated Department Stores Fifth Avenue Garage UDAG Project and for certain related action.

Also,

No. 1149. Resolution providing for the execution of a Cooperation Agreement with the URA of Pittsburgh providing for the implementation of the Federated Department Stores Fifth Avenue Garage UDAG Project and providing for the payment of the cost not to exceed Five Million (\$5,000,000.00) Dollars.

The Chair:

We need a clarification on whether or not we're obligated to have a formal public hearing under HUD guidelines for that UDAG Bill. Do we know? Okay, if we do, maybe, by tomorrow we could find that out and if we do, could waiver like tomorrow, just so we can move these bills along. Can we please ask Director Bruid (phonetic) to comment on that? Thank you.

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No papers, Mr. President.

The Chair:

Thank you, Councilman. Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you, Councilman Onorato. The reason why I asked is that in the past we've always had public hearings on UDAGs, even though, we haven't had a UDAG in half a decade or longer, but there always used to be a UDAG Public Hearing. If we could get a clarification on that.

MR. ONORATO PRESENTED:

No. Resolution
amending resolution 1810 approved
October 31, 1991 entitled "Providing for
the implementation of a Residential Parking
Permit Program" in portions of Squirrel
Hill, CMU community pursuant to the
Pittsburgh Code so as to amend the streets
to include Area K.

The Chair:

Thank you. Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

Thank you, Mr. President.

The Chair:

Thank you, Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. An Ordinance supplementing the Pittsburgh Code Title I Administrative, Article VII Procedures, Chapter 161 Contracts of the City Code by adding Sub-chapters 161.30 contracting out and 161.31 Committee Review and by supplementing Title IV Public Places and Property, Article VII City Realty of the City Code and Chapter 452 Regulation of

Sales, Regulation of Contracting Out and Sale of City Recreational Facilities.

Mr. Ricciardi:

That's a mouthful.

The Chair:

I know that didn't come from the Administration. Councilman Udin, Committee on Finance and Budget.

Mr. Udin:

No new papers, Mr. President.

The Chair:

Thank you, Councilman Udin. The Chair presents and this didn't come from the Administration either.

THE CHAIR PRESENTED:

No. An Ordinance supplementing the Pittsburgh Code entitled "Nine Zoning Article V Regulations Applicable to All Districts. Chapter 993 exceptions; Subsection 993.01(A), Conditional Use Permitted by Council Approval; Subsection C, Procedures by adding new Subsections 993.01(AC4), Public Hearing before City Council and 993.01(AC10), refusal required."

Also,

Amending the current Subsection 993.01(AC.4) action by Council.

The Chair:

I would ask that Council please take an opportunity to read this bill. It comes up next week. I originally submitted this zoning change to the Zoning Code regarding the conditional use process, whereby, City Council approves or disapproves various projects. And, as you know, if it's not coming from the Mayor to the Planning Commission, it comes from Council, then the Planning Commission, I think, they put it in the circular file down below. But, this is the same bill I submitted over a year and a half ago. There has been no movement or comment or scheduling of a public hearing given the great ruling by Judge Strassburg around Bigelow who says it's really up to us being the legislative branch. That's fine with me.

Then. I think, this Council needs to take back control of some of these planning issues and I would ask that Council review this bill. As you know, under State Law and various recent decisions including the one involving the East Liberty Firearms Unlimited Building, I believe — at least, my belief is that this legislative body is seriously flawed as it relates to proper due process as it relates to this Council approving or disapproving of various conditional use applications.

I would ask that prior to when this bill comes up that we get a formal opinion or comment from the Solicitor regarding the bill as written. And, I look forward to any other additional criticism or suggestions by my colleagues as to how to make the conditional use process more democratic and more fair to both the applicant as well as any protestant of any proposed project.

Again. I submitted this bill in light of a Commonwealth Court decision in the

matter involving the Monroeville case and more recently, as you know, Judge McLean remanded back the conditional use approval on Firearms Unlimited basically saying Council obliterated due process by not even commenting or having any public record or anything formally for Council to have come to the conclusion in opposition to a proposed correctional institute.

Setting that issue aside, my bill proposes to resolve this issue and put back into some sense of fair play Council's obligation. So, please take an opportunity. And, there is one controversial provision and I know Councilman Onorato and I have spoken on this issue. That involves the obligation of the colleagues not to make comment or state any public position on a formal conditional use prior to our actual review of the conditional use.

Now, some may argue that's limiting our freedom of speech, but again. when we resolve a conditional use we are not being legislators, perse, but we are performing or fulfilling a quasi judicial function. And, I would like the Solicitor to give us some comments, specifically, on that clause, which I'm proposing; which is, basically, the Commonwealth decision that Council Members refrain from offering any opinions if we're supposed to sit in judgment and be impartial on a pending conditional use. And, I didn't want this to get lost in the shuffle with the whole re-write of the Zoning Code. And, I'm submitting it again today, because the Planning Commission, basically, put it in the circular file for the last year and a half.

Thank you. Councilman Cohen.

Mr. Cohen:

On the process involved there, so you're asking Council to take a position on this; to vote on this without the Planning Commission's recommendation and to send it back to the Planning Commission with our --

The Chair:

No, I'm saying that we should just move on this bill. We are a legislative body and I'm asking that we just move ahead and provided it has majority support, either in the present form that I've submitted it or any amendments; that we move on it.

Mr. Cohen:

Okay.

The Chair:

I mean, I think, it's wrong for us to wait for a Planning Commission that has no desire to comment on this bill. And, I think, we're open to not only criticism, but I think more importantly, we're violative of law and statutes.

Mr. Cohen:

Can we not pass legislation? I thought we discussed this before, because this has been a problem many times before. Can't we pass legislation that requires the Planning Commission to act within a certain period of time?

The Chair:

We have and we can, but again, that's open for legal interpretation.

Mr. Cohen:

Do we actually pass legislation to do that when they haven't complied with it or --

The Chair:

I don't -- it's a Catch 22 situation, unfortunately.

Mr. Cohen:

Yes, I understand.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Well, just to add to that, Councilman Cohen. We were thinking about that in the past. I know Councilman Hertzberg also brought up some ideas and I had drafted legislation. The only problem with that, the Planning -- since the text changed, the Planning Commission would have to approve it and send it back with their recommendations.

The Chair:

Well, the reason why --

Mr. Ricciardi:

You see the problem?

Mr. Cohen:

Yes.

The Chair:

Well, what I'm proposing here is something different. I'm not proposing text

change to the actual Zoning Code, which I believe, we need to have a formal report and recommendation. I'm changing structurally and systemically the process by which Council itself; we are the legislative body sitting in a judicial forum when we vote or reject a conditional use. And, it's those rules —

Mr. Cohen:

So, you're setting up a judicial framework for our body?

The Chair:

Exactly and I would ask please, especially, my colleagues who are attorneys, please review this and others. But, I think, we need to move on this. It has been close to two years and I reintroduce this in light of Judge McLean remanding back the East Liberty Firearm case.

Any other discussion? Again, that concludes our Presentation of Papers. We have voted appropriately on all the Reports of Committees. That concludes our business except for any motions and resolutions that may be brought before the body. Councilwoman McDonald.

Ms. McDonald:

I don't have a motion or resolution. I just have a comment to you, Mr. President, and to the entire Council body; is that we now have changed, well, preliminarily have changed our Assistant City Clerk. With that it was a question for me as to what is the actual process? I did review what the process was. Unfortunately, Mr. President, you had contacted every Council office --

The Chair:

No. I --

Ms. McDonald:

Excuse me, let me finish -- every Council office, to my understanding, except Council District No. 9. Now, anytime that Council -- I understand the law allows us, and the public needs to understand, that we are allowed, you know, we are protected by 5% where we are allowed to interview whoever we want, change, etcetera. That is our privy no different than the Mayor's Office. As far as the individuals that are involved, they are upstanding, they are an asset to this Council Office. I appreciate both of them here. I want them both here. but it's the process that I question; is that there was some type of informal dialogue, but Council District 9 was not at the table. My question to the Council body, what is the process when we, indeed, do change over personnel? Should we not have an Executive Session as we did during budget time where we collectively as a body instead of individually discuss personnel matters, these type of personnel matters in which we are protected to be able to engage in an Executive Session to discuss that privately?

I'm just very disappointed with the process that was involved in this. I think, on behalf of all my constituents, other elected officials and Council District 9, it is very disappointing, once again, that this office was not at the table -- was not privy to any dialogue. It's just on the record. I'm very disappointed. I would hope that this wouldn't happen again and very much so open to an Executive Session, so that we can get together and discuss and agree to

some set process for this type of non-involvement whether it be deliberate or not, never happens again.

The Chair:

Thank you. First of all, let me start with an apology and there is no preemptive strike here. We will, in fact, have an Executive Committee. The only thing I've done, I apologize to you, Councilman Hertzberg I've not had an opportunity. I've stopped in offices with both of you not available. I have taken no action other than an action that involves myself. When and if we move on the issue of the Deputy Clerk we need to have a formal meeting. So, let me extend my apologies for not meeting with. I think, at least three of you if I'm not mistaken. I have tried to go up and down the floor in the last week. I've not formally talked to you and sat down with you. I don't believe I've had an opportunity yet to talk to Councilman Hertzberg regarding some of the changes.

But, just to clarify; one, my apology. And two, the process when and if we are moving on the actual issue of the Deputy, that is a formal vote and consideration by this colleague, by all of the colleagues in this Council body in an Executive Session with formal vote on the floor here. So, let me extend my apologies and I'll try to meet with you and Councilman Hertzberg. I may have not spoken also to one other person, maybe, Councilman Cusick and that's the only reason why I haven't formally submitted anything or called a meeting, because I haven't vet gotten around to everybody. So, my apologies and I hope we are able to meet shortly.

Is there any other matter to be brought before the body? Councilman Udin.

Mr. Udin:

Just a brief announcement to my colleagues and the public that this morning Secretary Melanie Davis Assistant (phonetic) was in town to announce that Pittsburgh is the recipient of a \$45 million Housing and Urban grant from Development, HUD, to assist with the revitalization of Bedford Dwellings and to provide us with additional funds for some of the demolition and rebuilding plans in Allequippa Terrace and also that will provide for Section 8 support for residents who prefer to live in the private market rather than in the public housing facilities. So, it's a major grant to Pittsburgh from HUD, Secretary Cessnaro (phonetic) and President Clinton.

And both Mayor Tom Murphy and Stanley Lowe are to be congratulated for a superb competitive proposal and application that they submitted. It was a competitive process and Pittsburgh can surely use an additional \$45 million in development.

The Chair:

Thank you. Councilman Onorato.

Mr. Onorato:

This is not to rain on HUD's parade, but the timing is unbelievable and I have to bring it forward. And, I think, that program that Councilman Udin just talked about is a great program. I'm in full support of it and I hope it's successful, but just to update my colleagues again, because I see them

heading down a path that could either end up in a court or, maybe, something worse.

An update on Allegheny Commons Dwelling, which was in Federal Court a couple of years ago where it was a HUD Program that was around for twenty years, a subsidized mortgage program. It was 99% minority community and it was very, very, very successful. They let Boston Financial Group, once again, take \$800,000.00 out of a \$2.5 million loan, stuffed in their pockets the profit and converted the entire program to Section 8 vouchers. I'm happy, or I should say, I'm happy to say that my prediction was right. I'm very sad of the results. The prediction that we thought came a lot quicker. We thought it would take two years, it took about six months. The complex is in its worse condition ever in a twenty year history. The crime rate is out of control. The drug activity is out of control and the guns and weapons, the complaints I receive in my office, are out of control. So, HUD did succeed in ramming this through and paying off a great company, I guess, out of Boston to just shut up and move on with their lives, but we in Pittsburgh are putting up with their major social engineering mistake, which they continue to do throughout this country.

And, I am in no way happy with HUD. As far as I'm concerned they are the housing and urban destruction department of the country. And, I hope that if we go to Federal Court again, we win on this issue, because it is disgrace what your tax dollars and my tax dollars have done to the Northside and, especially, to the people that remain in this community. They were there for twenty years and now have to dodge bullets and drug activity every night of the week.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

Just to follow up on that. I'm a little confused and maybe you can help. remember about three or four years ago we got a \$33 million grant for Allequippa Terrace and I'm sure you were there. We debated, at the time, we were fighting for more -- 15% or 20% of that money to go to social programs as opposed to bricks and mortar. Has that money ever been spent? Maybe, you could update us on this. I mean, it sounded good for the cameras. We had a big show down there, but I park in Allequippa Terrace when I go to basketball games up there and I don't see the results of that \$33 million. So, I'd like to -- maybe, if you - you can explain now, but maybe a formal meeting, because it's very confusing. Like I say, we had lobbying here for some for tearing the housing communities down, some we're rebuilding it. I'd like to know where that \$33 million is.

The Chair:

Well, I would ask that we get a formal response from Director Lowe on this issue. But, in a nutshell, what started out on the previous Administration as a major renovation upgrade of Allequippa Street as we knew it, grew to be a much more progressive and fundamental change in the whole nature of public housing as we know it in Allequippa Street and some of the surrounding communities. And, with the Murphy Administration and the new Board of the Housing Authority with the support of HUD. There's a larger sum of money involved and the idea is to re-create a community that involves mixed income,

mixed living as far as demographics, gender, race as well as both owner occupied, rental. You know, the whole character of public housing as we know it would be a radical change.

Councilman Udin has been very active in hammering away on some of those issues. Maybe, he'd like to respond at this time.

Mr. Udin:

What happened, Councilman, is that the Housing Authority, if you may recall, started moving forward with their plan to renovate Allequippa Terrace with that \$33 million and found that they had moved out far ahead of the residents. And, the residents opposed the plan as they had been submitted and went to HUD and got the whole project to come to a screeching halt until the residents had an opportunity to organize and come to the table and join the partnership. And now, as in the words of Mayor Tom Murphy this morning, they have moved from patronizing to partnership with residents.

So, that process did slow down in order for the residents to become organized and get involved in the planning. And now, last week we had a major kind of celebration. conference a news Allequippa Terrace announcing the plan that has been adopted by both the residents and the Housing Authority for the revitalization of Allequippa Terrace. And so, that \$33 million will include the same kind of social service planning and total community development that had originally been talked about. But, the time frame had to be delayed in order to give the residents an opportunity to be able to determine their

own future rather than having someone else determine it for them.

The Chair:

But, I think of equal importance, Councilman --

Mr. O'Connor:

This is the same money?

Mr. Udin:

Yes.

The Chair:

It's an expanded pot of money past the initial \$33 million. But, I think, what is important is that the previous history of the Housing Authority as it relates to receiving large sums of money for comprehensive modernization, if you look at the last decade of the Housing Authority's track record, you'll see millions of dollars spent, basically, remodeling and renovating three story walkups throughout the public housing community. The list is endless. And, what is being said here that has not been the most prudent, proper and most productive use of dollars. That, basically, once something is remodeled you haven't altered a lot of the issues that are of concern both to this Council, to the surrounding communities and, especially, to the tenants themselves. It doesn't make sense to spend millions of dollars renovating three story walkups with open stairwells, lack of space, containers and all the other problems that Councilman Onorato and everybody else around this table has talked about when, in nutshell. we'd rather Crawford/Roberts type of development as opposed to renovating barrack like living.

Mr. O'Connor:

Does any of this have to come in front of us?

The Chair:

This would not come to us directly. I believe, there's some related re-zoning of property at some point, which I think is before the Planning Commission as it relates to either Allequippa Street or the surrounding West Oakland area.

Mr. Udin:

Allequippa.

The Chair:

I believe, it's Allequippa Street. So, at some point in the next few weeks, I believe -- in fact, I think, there's a Planning Commission --

Mr. Udin:

There's a Zoning Meeting today.

The Chair:

A public hearing this afternoon on the issue of re-zoning. That would come before us. The grant and what the character of the partnership is, there has actually been an outside management group hired with the support of the tenant community. Those are issues that are between the Administration and the Housing Authority Board. But, if there's a specific need for any post agenda --

Mr. O'Connor:

Yes. Possibly what I was driving at is what Mr. Udin said, I think, we try to fight for that at a table maybe a week before a vote and not, you know, we didn't have our facts straight. If what you're telling me is the community is being addressed properly this time, I'm all for that. So, that's what I was driving at, because the Housing Authority -- you cannot -- I think, they're on probation, because we tried to get some applications for just some senior citizen housing and, I understand, they've been on probation because of some problems there.

So, again, I'm just questioning now you're up to \$40 million or I didn't know if it was \$30 million or \$40 million, all these millions of dollars, let's hope somebody is watching the store. I mean, that's my concern, to help the people like you're talking about. I'm not saying it should go anywhere else. It should go there, but make sure it's addressed properly this time.

Mr. Udin:

I'm watching that part of the store that's in the 6th Council District.

The Chair:

And, we'll ask Director Lowe to give us a formal update on what has transpired to date on the commitment of funds and what the Board and the Administration's position is on this new partnership and what the character of that new partnership is as it relates to any new housing in the housing community of Oakland.

Mr. O'Connor:

Would you have -- I think, we should have a post agenda and know where it's going and if you would chair it.

Mr. Udin:

I'd be glad to. I think it's important, because the other point that I think I attempted to make this morning is that we need to make sure that we're looking at the housing needs of the entire housing picture and not just a couple isolated communities. I sympathize with the frustration that Councilman Onorato consistently expresses at some of the past programs that HUD has administered. And so that when we celebrate some victories it doesn't mean that we're excusing some of the things that are going wrong. And, anything that I can do to help work with you and to help correct that situation that you speak of so consistently, I will be glad to do it.

Sometimes you hit and sometimes you miss. And, if there's a way that we can correct that situation, I don't want you to think that you're the only one who is concerned about it, even though, you are the only one who consistently speaks out about it.

Mr. O'Connor:

Well, getting back to I remember, again, going back three or four years Crawford/Roberts, no one was being hired from the community, even though, we were always guaranteed that. These are the types of things that, I think, if we're going to change the City to make sure there's not only housing, but who is going to do the jobs? Are they going to be people from the community? If there's \$40 million floating around I'd like to make sure it's floating in the right place.

The Chair:

And, again, unlike Thank you. some of the past contracts that the Housing Authority has this entered into. management plan as it relates to the effort on Allequippa Street has a very specific employment hiring requirement as well as training and the like. It's fundamentally different than what we've known in the past and I think it will be, certainly, much more of a benefit to the residents in that community.

As an update and a footnote, the Housing Authority Board took an action relative to moving ahead and requesting HUD review a request for a demolition at Broadhead Manor. I was not pleased with that. I argued successfully with the Board that, that resolution needs to be amended in several different ways including that the money had to be allocated back to that portion of the community. There we're talking about \$23 million. And also, that some of the housing that is there that we've already invested a lot of money in, should be looked at as an opportunity for some the residents in Broadhead themselves to move towards owner occupied homes. And, that we're asking that pending any demolition that we have approval and the commitment from HUD that we will actually have those dollars to re-commit, to help with relocation, but including possibly saving some of the housing that we spent a lot of money in and actually providing home ownership opportunities for, maybe, fifty to 150 residents of that community who do not want to leave the community. I'm not pleased with this whole thing, but I tried to argue successfully for what I thought would be the most fair. Trying to; one, preserve a valuable public housing stock that we have at the same time recognizing that we need to do things differently in terms of how we manage the housing opportunities that we do have.

I still think there's a problem with a lack of communication by the Housing Authority, generally, and the Director, in particular, as it relates to projects within each one of our Council Districts. I think that he, specifically, in this case --Councilman Hertzberg probably not being aware too much about what is being done by the Administration, the Mayor and Director Lowe. I can only hope that, that's going to change in the future.

Mr. Hertzberg:

Mr. President, you went from Bedford Dwellings to Broadhead Manor. Your previous comments on the status of Broadhead Manor proposed demolition; I first, want to thank you for your involvement and for the amendments that were made at the last Housing Authority Board meeting.

And, I've been meeting and having discussions with some key people on this whole issue and I have cause to be optimistic that there will be a resolution, which I think, will be in the best interest of everyone including the current residents of Broadhead Manor and the City totally.

The Chair:

Thank you very much. Any other comments or discussion? Hearing none I'll entertain a motion to adjourn.

Mr. Udin:

So moved.

The Chair:

Thank you. This Legislative Session stands adjourned.

Council adjourned.

ADDENDUM

- Councilman Onorato comments -on Bill No. 1059 and 1060 can be found in the Standing Committees Meeting minutes of October 2, 1996
- Councilwoman McDonald commentson Bill No. 917 can be found in the Standing Committee Meeting minutes of October 2, 1996.

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO......Deputy City
Clerk

Pittsburgh, PA Tuesday, October 15, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr.O'Connor (Pres't)

The Chair:

Good morning everyone. I'd like to welcome all the guest that are in the audience this morning and shortly we will invite a number of you to the podium, because I know there are a number of proclamations. But, we have an important matter before us today, and that is the appointment of our Deputy City Clerk and that's the Honorable John Mascio, who is before us. He's a long time veteran worker,

management staff in the Office of City Clerk for many years. He has worked long and hard and he's being promoted without any additional pay, but he's being promoted to the position of Deputy City Clerk. And, he's very excited about it and, obviously, his family is also and they are here to join us.

And, at this time I would ask that you please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer, so that we may have peace throughout the world.

And, we're very pleased to have John's family here this morning, his three sons; John is the oldest. He is eleven years old in the sixth grade; Danny, nine years old in the fourth grade and Dino, seven years old, second grade. They all go to St. Therese's School and they're Boy Scouts and Cub Scouts together. John's wife is here, Nina, and mother-in-law Norma Malotso, and we welcome you all here this morning for John's swearing-in. At this time, Pledge of Allegiance.

John, Danny, and Dino:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

Thank you. I want to thank John, Danny and Dino. I see three future Council members there. We want to thank them for leading the Pledge of Allegiance this morning. And, at this time I would ask our City Clerk to, please, read the appointment resolution.

City Clerk:

Oath of Office of John R. Mascio as Deputy City Clerk of the City of Pittsburgh.

The Chair:

Thank you very much. At this time I would ask Mr. Mascio to come forward as well as his family, who would like to join us up here at the podium. We'd, probably, like to have a few words from John. Don't be bashful, come on up and give your dad some support.

And, it's my delight to formally at the support of all of our colleagues to formally ask John to be sworn in and take the oath of office for Assistant Deputy City Clerk, City of Pittsburgh and our great municipality. And, I would ask that John repeat after me the following oath of office.

I do solemnly swear that I will support the Constitution of the United States and of this state and the charter of our City and that I will faithfully discharge the duties of office to the best of my ability.

Mr. Mascio:

I do solemnly swear that I will support the Constitution of the United States and of this state and the charter of our City and that I will faithfully discharge the duties of office to the best of my ability.

The Chair:

You are so sworn. Thank you very much.

Mr. Mascio:

Thank you.

The Chair:

Congratulations. Thank you. Ladies and gentlemen I'm pleased to announce our Deputy City Clerk, John Mascio; John.

Mr. Mascio:

The first thing I want to say is these guys will go to any lengths to keep a DJ on staff, so I appreciate that. I want to thank Council President, Jim Ferlo and all the members of Council for this appointment and having the confidence in me to carry out these duties. I also want to thank them for the many, many opportunities that they've given me throughout my years. I also want to thank City Clerk, Linda Johnson-Wasler for her constant support. but most importantly, for her friendship. We've worked together for a lot of years. We've always had a great working relationship and I expect that to continue in the future. I also want to commend the City Clerk staff. They're a hardworking group and I'm very excited about working with them in this new capacity.

Now, I'd be remiss if I didn't say something about the Unisource Project. I just want to thank everyone, I'm still selling this project, associated with the project; especially, the core project team. They taught me a lot about City finance and about financial systems and how to work as part of a team. The project, certainly, opened a lot of doors for me and has greatly enriched my knowledge of the inner

workings of City government, which I'm sure is going to be a valuable resource to me in the future. I want to thank City Council for the foresight and for providing me with this opportunity to be part of a project of such magnitude.

Also, I want to thank my wife, Nina and our sons, John, Danny and Dino and my mother-in-law, Norma for their patience and for being the constant source of inspiration to me.

Finally, I want to extend sincere appreciation to our former Deputy City Clerk, Kurt Salac known as Slash around here. I want to thank him for preserving this position by assuming -- he assumed the dual role as Budget Director and Deputy City Clerk. And, I swear only he could have done that. Contrary to what some people might be thinking, this is not a step down, but rather a step up for Kurt. He's going to devote his full time to his first love, which is budgeting and finance and the City is going to be better for that. I want to thank Kurt for his guidance and his patience -- well, for his guidance and for the many times that he pushed me, sometimes physically, to my capabilities and even beyond that. I want to thank him for instilling a work ethic in me that I'll carry with me for the rest of my life. Thanks, Kurt.

This is a great honor for me today and I will do my best to continue to uphold the confidence and the trust Council so generously bestowed upon me today in appointing me to the position of Deputy City Clerk. Councilman Ferlo, all members of Council. I thank you very much.

The Chair:

Thank you. Thanks guys, you did a good job. You're dad is proud of you. I don't want to sell John short. He has done a tremendous job this past year. City Council has made a major commitment, not only financially, but also administratively and morally to the Unisource Project and the belief of both the Mayor and the Administration and City Controller and this Council, that we need to bring City government into the next century. But, we don't want to wait until the next century, we want to do it now. And, it's a great project. It's a major commitment of tax dollars and it's going to be done in a democratic and productive and progressive way, not at the expense of our work force, but rather we're going to be able to produce a better work product with the existing personnel and be able to do the City job better that we're elected and appointed to perform those duties. So, we want to thank John. He's going to be, certainly, helping to lead that effort in the coming months as we become online with the Unisource System. thank you John very much.

PRESENTATIONS

The Chair:

We're going to move right to a number of the guests that we have in the audience. Again, thanks to John's family for being out here this morning, great bunch of people. We have a number of guests in the audience this morning and at this time I'd like to call upon Councilman Cohen.

Mr. Cohen:

Mr. President, my proclamations are to be read into the record, please.

The Chair:

Very good. And, could I have a motion on unanimity on the actual appointment of Mr. Mascio, which we actually didn't take. Move unanimity, second, all in favor? It is unanimous so the record shall reflect.

MR. COHEN PRESENTED:

No. 1157. WHEREAS, Dr. Walter Jacob, a member of the sixteenth generation of rabbis in his family, has been a Rabbi of Rodef Shalom Congregation since 1955, Senior Rabbi since 1966 and will retire from the Congregation on December 31, 1996; and

WHEREAS, Dr. Walter Jacob is a leading authority of Jewish law, having served for more than a decade as Chairman of the Responsa Committee of the Central Conference of American Rabbis and having authored many books and chapters of leading reference books; and

WHEREAS, Dr. Walter Jacob is President of the Solomon B. Freehof Institute for Liberal Halakhah and the Associated American Jewish Museums and Chairman of the Publications Committee of the Hebrew Union College Press, is Past President of the Central Conference of American Rabbis, and is former President of Horizon Homes for Retarded Children, the Pittsburgh Rabbinic Fellowship and Project Equality; and

WHEREAS, along with his wife of 38 years. Irene. Dr. Walter Jacob has created the Biblical Botanical Garden in Pittsburgh. one of only three such gardens in the United States; and

WHEREAS, despite the daunting credentials described above, Dr. Walter Jacob remains as kind and approachable a human being as one would ever meet, possessing the superb pastoral skills required to lead a Congregation the size and breadth of Rodef Shalom.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks and commends Dr. Walter Jacob for the extraordinary contribution he has made to Judaism, to interfaith understanding, to the Pittsburgh community and to Rodef Shalom Congregation; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, December 31, 1995 to be "Dr. Walter Jacob Day" in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MS. McDONALD seconded the motion.

Which motion prevailed.

The Chair:

Councilman Cusick, I believe, you have some guests in the audience.

Mr. Cusick:

No.

The Chair:

One to be read into the record.

Mr. Cusick:

One to be read into the record.

The Chair:

Very good. We do want to welcome the Honorable State Representative, Frank Gigliotti, who is here this morning and to Council Chambers. Good morning, Frank, thank you for attending our meeting.

MR. CUSICK PRESENTED:

No. 1158. WHEREAS, Howard J. Adler joined the Army in 1969 and achieved the rank of Specialist 4th Class while with the 25th Infantry and for his service in Vietnam, Mr. Adler was awarded the Vietnam Service Medal, Bronze Star, Purple Heart, Army Commendation, Good Conduct Medal and Combat Medic Badge; and

WHEREAS, since joining the VFW in 1978, he has served four terms as Commander of Mt. Oliver Post 456, achieving the status of All State Commander three times, and also served three years as County Council Trustee, Chaplain, Jr. Vice Commander, Sr. Vice Commander, Inspector and Chairman of the Community Activities, Voice of Democracy and POW/MIA Committees, Chairman of the Community Activities Committee, State Judge Advocate, and National Aide-De-Camp; and

WHEREAS, in addition to his VFW activities, Mr. Adler served three years as a member of the late Senator John Heinz's Committee for Appointment to U.S. Military Academies, was a five year manager/coach of the Mt. Oliver Little League and also President of the Mt. Oliver Pony League.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and honor Mr. Howard Adler for his service to our country and our veterans.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare, Saturday, October 19, 1995 as "Howard Adler Day" in the City of Pittsburgh.

MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

Would those representing the African American Heritage Day Parade please come forward?

The Chair:

I didn't see the Honorable Duane Ashley here this morning too. I didn't know that.

Ms. McDonald:

As you know that Pittsburgh is blessed with having a lot of ethnicities within its jurisdiction. Last week we just celebrated Italian heritage with the Columbus Day Parade, which is always spectacular. This Saturday we'll be celebrating the African American

community with the African American Heritage Day Parade and I'll read the resolution as follows.

No. 1161.

WHEREAS, on Saturday, October 19, 1996 the Afro-American Heritage Day Parade will celebrate its 10th anniversary. The parade will begin at the Civic Arena and march through the streets of downtown Pittsburgh to Point State Park; and

WHEREAS, the Afro-American Heritage Day Parade was founded in 1987 as a result of the concerns by community leaders regarding the lack of positive role models and activities for the African American Community. The event is a community-unity effort in honor, celebration and recognition of Afro-American heritage and its contributions to society; and

WHEREAS, the official Parade Marshals for the 1996 parade are Reverend Brenda Gregg of Allen Chapel A.M.E. Church and Reverend Leroy Patrick of Emeritus Bethesda Presbyterian Church. Rev. Gregg and Rev. Patrick have been honored because of their dedication to the community. Their commendable efforts and those of numerous individuals dedicated to the success of the parade have been an asset to Pittsburgh; and

WHEREAS, the Afro-American Heritage Day Parade will feature marching bands, floats, community and civic organizations and local celebrities, as well as elected officials with prizes for many of the participants.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City

of Pittsburgh congratulates and commends the Afro-American Heritage Day Parade Association for its outstanding contributions to the City of Pittsburgh. MR. COHEN moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Ms. McDonald:

Thank you, colleagues. I also would like to ask Councilman Udin, who was in the parade last year and will be in the parade again this year. We are cosponsoring this resolution together. Without further ado, now, who am I going to give the plaque to?

Mr. Ashley:

Give it to Chuck

Ms. McDonald:

Chuck? Chuck just walked in. All right, thank you colleagues. This is Mr. Chuck Powell of the URA. Chuck.

Mr. Powell:

Thank you, Councilwoman. On behalf of the Afro-Heritage Day Committee and all of its members and constituents, we'd like to take this opportunity of thanking Council for this special recognition. This is our tenth year and we see this as a banner year for us and we see this as a year of election, a year change. And, we are excited about this coming year. We have over 3,000 participants in the parade this year. And, of course, we invite you all to attend. And, just one note. We

wanted to make everyone aware that, even though, this is an Afro-Heritage Day Parade, we are people that believe in this city. We are people that want to make this city grow and develop regardless of any particular race or partisanship. And so, we are people that want to make this city stronger and people that want to unite this city. So, once again, we just want to take this opportunity of thanking City Council for this recognition. Thank you.

Mr. Williams:

I would also like to say it will be this Saturday, October 19th. We'll be starting at the Civic Arena at 10:00 o'clock. It should be over in about three or four hours. Afterwards we will be having some food and so forth for children and adults, whoever wants to come up at the Hill House directly after the parade. I hope to see everybody up at the Hill House.

Again, I want to thank you on behalf of our committee. Again, as Chuck said, this is going to be a very big parade and I wish everybody would come out and participate. Thank you, again, City Council.

The Chair:

Thank you.

Ms. McDonald:

I'd like to have closing remarks from Councilman Udin, but I'd like to introduce first, Duane Ashley, one of our former finer City workers in Parks and Recreation. He's now with the Urban League, bringing a lot of expertise about parades there. And, we have Lyda Jo Trower and, of course, the Trower family is

quite a force and historical family within the Homewood community and we'll be dealing with Neil. I didn't know he -- Neil Dorsey has been in business fifty years as the Dorsey family has been in business. So, again, I'm glad that Lyda is here. And now, Councilman Udin, if you'd like to close out.

Mr. Udin:

Thank you. I'd like to thank Councilwoman McDonald for taking the primary initiative in recognizing this important event. It's an event that mobilizes and unifies a large segment of the community. Who is in charge of the weather this year? Congratulations to all. Thank you very much.

The Chair:

Councilwoman McDonald, I believe, you have some other guests.

Ms. McDonald:

Yes, I do. Mr. President, I would like to call forward those members of the National Alliance of Postal and Federal Employees Local 510. There is going to be a play called, Camp Logan, that is coming to the Pittsburgh area. And, this resolution is twofold; one, to commend them. This initiative of this play has been around for So, to It's not all that new. vears. commend them for the years that they have been involved with this very, very important play of historical significance that many of us including myself, was not aware of until I had read the brochure talking about what the play was really all about. But, twofold, also to bring this to the public's attention so that everyone in the City of Pittsburgh may attend. It does a shed a light on some of the downside. As much as we celebrate war heros, we're not aware of all that happened during the war and I'm speaking about World War I. So, this play brings a lot of things to light. It's disappointing to know of some of the history and at the same time it gives us reasons to celebrate and move forward with where we're at now. So, I'm going to read the resolution and ask who is going to speak? Bill?

Mr. Ford:

Both of us.

Ms. McDonald:

All right, thank you.

No. 1160. WHEREAS, the National Alliance of Postal and Federal Employees Local 510 has brought to Pittsburgh a production of "Camp Logan" to be performed at Schenley High School October 18 through October 20, 1996; and

WHEREAS, the production is to commemorate the Founder's Day of the National Alliance of Postal and Federal Employees. The Union was founded as a minority Union within the Postal Service in 1913 in Chattanooga, Tennessee; and

WHEREAS, Local 510, under the leadership of its President Mr. A. Dave Shelton, has worked to reach out to the community with projects and functions. They also serve to educate about the past and present events for the youth to gain knowledge and insight.

WHEREAS, "Camp Logan" is a fact-based account involving the all-black 24th Infantry Regiment which was stationed in Houston, Texas in 1917. It

deals with events leading to the Houston Riots and Court Marshals of 1917 and was written by Houston playwright Celeste Bedford-Walker. This play calls attention to a long-buried piece of history with the components of racism, patriotism, loyalty, honor and despair. "Camp Logan" has received the NAACP Image Award for Best Play.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the National Alliance of Postal and Federal Employees Local 510 in honor of Founder's Day and commends Local 510 for its contributions to the community.

The Chair:

Motion to approve moved and seconded; all in favor? Motion carries.

Ms. McDonald:

Without any further ado, I would rather you all, if you have any comments about the play or you'd like to give anymore specifics like the time. I didn't have that on there; from 3:00 to 5:00 on Sunday, that's when I'm going to be there. But, without any further ado, William Ford, Bill you want to come up?

Mr. Ford:

Let him go, then, I'll go. He's the Vice President, so I yield to him.

Ms. McDonald:

You'll yield, okay. Bill, another; this is William Yancy.

Mr. Yancy:

Good morning everyone. I would like to say on behalf of Local 510 of the National Alliance of Postal and Federal Employees that it is an honor to be here. I was prepared to say anything, but I definitely want to let you know that we have plenty of tickets left for Friday night at Schenley High School at 7:00 o'clock will be the first showing. Saturday night also at 7:00 and Sunday at 3:00 o'clock.

We have a couple of the members of the cast and one of them is going to be speaking and the resolution actually contains most of what I had planned to say about our local. Again, I thank you very much and I will now hand you over to Mr. Williams; Jenkins, I'm sorry.

Mr. Jenkins:

Good morning. On behalf of the cast and Celeste Bedford-Walker, the playwright, Sage Edwards, Vice President of Mountaintop Productions and Mike Koliski (phonetic), who is producer with the show, we'd like to thank you for giving us this time today and be presented before you. And, I'd like to also thank the local organization, the National Alliance Postal and Federal Employees. We'd like to thank you all for bringing to the Council's attention our struggle to be recognized in this area.

We've been on tour for about seven years in different parts of the country and I've been proud to be a part of the cast and a part of this history, ongoing history of retelling the story. We've had great response from all over the country. The story is real to us and, hopefully, after our production it will be real to you as well. And, again, we

thank you and hope that you all will come out

Ms. McDonald:

I'd also like to introduce the other actors; Andre Minkins; I'm sorry, that's Darryl Williams and Rhonda, vou're not an actress; secretary, I'm sorry. Rhonda Jackson. I had just asked Mr. Ford what was that movie that starred Denzel Washington as a Civil War soldier during the times where the U.S. Army didn't want blacks in their army and that was Glory. And, if anyone has ever seen that movie, this is the spirit of this play, Camp Logan. There is only one difference, they died in glory. These soldiers who fought died in humiliation. They were executed by hanging and you'll see what events led up to this humiliating experience of very loyal soldiers who died no different than anyone else for our country during World War I. Mr. Ford, I'm going to ask you to have closing comments.

Mr. Ford:

Well, it has long been in the history of the African-American military men that recognition was never there. Now, I yield to the President, because I'm retired. But, I was in World War II in an outfit in El Paso. Texas, Ft. Bliss. We suffered the same kind of humiliation. Now, this play turned military ethics and laws around and, I think, it's very important that not only the African-American community support this, but everybody support it and, hopefully, we'll get everybody out there. To give you an example, they had a movie called, The Redball Express, which was an all black outfit in World War II, but Robert Mitchum starred in it. You know what nationality he is. I happen to be in an anti-aircraft outfit,

which is a little different than the service group. But, sure enough, in New Guinea they changed us over to a service group. So, it's very important that people -- really the military history, we've never expounded it as much as we could the role that the African-American played in all the wars. I know, I can make a little announcement here that on November 11th we're going to have a dedication at the Homewood Library African-American Reading Room, a plaque to all the African-American soldiers who were in World War I, World War II, Korea and Vietnam. Incidentally, my son served in Vietnam. So, it's very important that the public and these gentlemen from the accolades the play has gotten, that people see. It's a part of American history and not just African-American history.

And, on that note, Ms. McDonald, we're going to present to City Council some tickets. Thank you very much.

The Chair:

Thank you. Thank you all, congratulations. Good luck with a great play and we have one to be read into the record; possibly, two to be read into the record.

MS. McDONALD PRESENTED:

No. 1159. WHEREAS, on Sunday, October 13, 1996, the African Heritage Classroom Committee will host a dedication ceremony to officially present the Book of Honor; and

WHEREAS, The Book of Honor, is a permanent record of the 1,000 or more donors who contributed to the Building Fund of the African American Heritage Classroom, which opened on December 17, 1989; and

WHEREAS, since the completion of the African Heritage Classroom, the primary goal of the Classroom Committee has been to provide scholarships for University of Pittsburgh students to study in Africa. Since 1991 the Heritage Classroom has provided scholarships that allowed six students to travel and study in Africa; and

WHEREAS, Nancy H. Lee was one of the driving forces behind the success of the African Heritage Classroom. Nancy joined the African Heritage Classroom Committee as Campaign Coordinator, in charge of fund-raising. She remained a devoted member of the Committee until her death in 1995.

NOW, THEREFORE BE IT RESOLVED THAT, the Council of the City of Pittsburgh congratulates and commends the African Heritage Classroom Committee for their commitment to educating the public on African Culture.

Also,

No. 1162. WHEREAS, on Friday, October 11, 1996, the Mount Ararat Baptist Church will celebrate its 90th anniversary with a banquet at the Westin William Penn Hotel; and

WHEREAS, in 1906 a meeting was held at the residence of Mr. and Mrs. J.H. Marshall which led to the first service conducted on the second Sunday in October of 1906, in a one story building at Penn Avenue and Beatty Street. Eight people were in attendance and the collection was \$7.00. Despite its humble beginnings, Mount Ararat saw its congregation grow

and it moved to the present site at Mayflower Street and Paulson Avenue in the fall of 1917; and

WHEREAS, Mount Ararat has diligently worked to strengthen the spirituality of all members, from young to old, through its Bible studies and choirs. The church is currently reaching out with community programs including daycare, senior activities, and even computer training; and

WHEREAS, the dedicated parishioners of Mount Ararat have been blessed with the hard work of visionary pastors. Reverend W.J. Carter, Reverend W.C. Brown, Reverend Clarence A. Burell, Reverend Donald O. Clay, Jr. have all served the church and the community with numerous contributions, making Mount Ararat the thriving parish it is today; and

WHEREAS, the featured scripture of the newly built Mount Ararat Church on January 27, 1991 was Joel 2:28, "...your old men shall dream dreams, your young men shall see visions." This passage is most fitting for a church that began with the dreams of eight people and through God's grace has looked to the future ever since. Throughout its history, Mount Ararat has been blessed with talented Christians and have rendered great servants who outstanding services to the church and the community. Their sacrifices have given us the Mount Ararat of today.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends Mount Ararat Baptist Church for its 90 years of outstanding accomplishments and invaluable support to the community.

The Chair:

Motion to approve moved and seconded; all in favor? Motion carries. Thank you. Councilman O'Connor.

Mr. O'Connor:

Would officers from B'nai B'rith please come up? We have Marty Sorotta (phonetic) is the President; Alan Hausman is the District Treasurer, Marvin Liebowitz is the First Vice President and a Committeeman in our District and Wendy DeRoyce, Regional Director. Wendy, come on up, we'll take some pictures.

It's an honor to have you here. I was privileged a couple of years ago to be recognized by B'nai B'rith and I really have a lot of respect for everything they do in our community and I'd like to read this proclamation.

No. 1163. WHEREAS, our community is blessed with individuals and organizations dedicated to the improved welfare of our citizens, and outstanding is B'nai B'rith Pittsburgh Council, which continues to grow and continues the group's tradition of generosity in numerous activities; and

WHEREAS, B'nai B'rith, the oldest and largest Jewish service organization was founded on October 13, 1843, the first international organization established in the United States, serving as a world leader in the battle against prejudice, constantly advocating human rights in 52 nations, on six continents, throughout the free world; and

WHEREAS, B'nai B'rith's volunteer service includes aiding victims of war and disaster, supporting charitable institutions, fighting bigotry and intolerance while furthering democracy and inter-group understanding, establishing one of the world's largest private networks of non-sectarian, affordable apartments projects for the elderly, and world renowned educational, cultural and religious programs for youth.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate B'nai B'rith Pittsburgh Council upon the organization's 153rd Anniversary of worthwhile service to its members and community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby recognize B'nai B'rith for its prudent and worthy activities and declares October, "B'nai B'rith Month" in the City of Pittsburgh.

The Chair:

Motion to approve moved and seconded: all in favor? Motion carries.

Mr. O'Connor:

Marty this is sponsored by all Council members and Marty, I'd like you as President to come up and say a few words.

Mr. Sorotta:

Thank you. Mr. Council President, Councilman O'Connor, Councilmen, Councilwoman, thank you very much for this honor on behalf of the Pittsburgh Council, the District and B'nai B'rith International. As has already been said we are the oldest service organization. Our

links to the City are more than a century old with founding of Pittsburgh Chapter 44, the 44th chapter in the United States. Hopefully, we'll continue to serve Pittsburgh and the tri-state area in this decade, this century and into the next century. On behalf of all the officers, thank you very much.

Mr. O'Connor:

This is a quiet group, nobody wants to say anything. Marty is my neighbor.

The Chair:

Thank you and congratulations. We, particularly, would like to thank the work of the Anti-Defamation League also. We have one more to be read into the record by Councilman O'Connor.

MR. O'CONNOR PRESENTED:

No. 1164. WHEREAS, in honor of its first anniversary, The Center for Creative Play is presenting its first annual Parent Award on October 17, 1996, designed to honor local parents who also support and advocate children and families in their professional lives; and

WHEREAS, The Center for Creative Play will honor William and Martha Isler to receive this award because of their years of dedication to families in both their professional and volunteer roles; and,

WHEREAS, Martha Isler has dedicated her career working for quality care and education for young children, in part, as a consultant to United Way of Allegheny County and implementing the Early Childhood initiative, a project

designed to help low income pre-school children succeed in school and beyond. Martha has also directed the Child Care Partnership at the Greater Pittsburgh YWCA and managed Employers & Child Care for the Greater Pittsburgh Chamber of Commerce; and

WHEREAS, William Isler has dedicated his career advocating for children and families in a number of ways, including his work as President of Family Communications, Inc., the producers of Mister Roger's Neighborhood and work with the Pennsylvania Department of Education, where he was the Executive Assistant to the Secretary of Education, Commissioner of Basic Education and Senior Program Advisor for Early Childhood Education; and

WHEREAS, William and Martha are active members of the Pittsburgh Community, serving on many task forces, steering committees and boards of directors.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate The Center for Creative Play on its first anniversary; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby command William and Martha Isler for their tireless dedication to the community and declares Thursday, October 17, 1996, "William and Martha Isler Day" in the City of Pittsburgh.

The Chair:

Motion to approve moved and second: all in favor? Motion carries.

Thank you very much. Councilman Onorato.

Mr. Onorato:

Mary Rose, come on up. Mary Rose Rallet (phonetic), Program Director, correct?

Ms. Rallet:

Right.

Mr. Onorato:

Program Director of RIF. This gives me great pleasure to introduce this proclamation, because it's one of those groups that you hear a lot about, but sure doesn't dominate the news all the time, but probably has done more to help children in the City, on the Northside, but something we need more volunteers to do, because it really believes in all of the children regardless of what neighborhood they come from to help them reach their potential.

No. 1165. WHEREAS, Central Northside Reading is Fundamental is a grassroots organization which began fifteen years ago and has performed reading miracles on the Northside; and

WHEREAS, Central Northside Reading is Fundamental not only supplies books to children but the volunteers also take a special interest in encouraging children to read books to understand and appreciate the information in books, and to improve their reading skills; and

WHEREAS, these children develop a love of reading and also are given skills which enable them to succeed in school; and WHEREAS, the Central Northside Reading is Fundamental program makes a real impact on the future of Pittsburgh and on the children who become its workers, parents and citizens; and

WHEREAS, The Great Literary Notions Gala is the main fund-raiser for the Central Northside Reading is Fundamental Program and will be held at the Grand Hall at the Priory on October 17, 1996; and

WHEREAS, the goal is to raise enough money to purchase over 20,000 books and ensure the continuation of the tutoring program which is an integral part of the Central Northside Reading is Fundamental program.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends all those involved in making the Central Northside Reading is Fundamental Program a reality and wishes the group much success in reaching its fundraising goal!

FURTHER BE IT RESOLVED, that the Council of the City of Pittsburgh declares Tuesday, October 15th as Reading is Fundamental Day throughout the City of Pittsburgh.

The Chair:

Motion to approve moved and second; all in favor? Motion carries.

Mr. Oporato:

Mary Rose, if you could say a few words and remind everybody, again, of the date of the fundraiser and try to get some of my colleagues there, I would appreciate it.

Ms. Rallet:

Thank you and City Council for this proclamation. Just briefly, what we do is we try to impact on the lives of children on the Northside. We give out free books to children, 2,400 children on the Northside. Each child gets between three and five books a year that they choose that they keep. We tutor forty-five children, first, second and third grade at Martin Luther King School who are reading below their level and in doing that we're able to employ twelve people, nine of whom are high school students from the Northside.

The best way I can tell you how we know that what we are doing is a success is to read you a quote from one of our parents from our RIF children from last year. "My daughter told me that she can read this entire book to me and I was shocked when she did. I almost gave up on her and I can say she is really doing a great deal better." That about sums up what we try to do.

Again, our fundraiser is on Thursday at the Grand Hall. It's from 6:30 to 9:30 and I have invitations for Council members. Thank you very much.

The Chair:

Thank you, congratulations. Thank you very much. Councilman Udin. On behalf of Councilman Udin, Councilman Cusick, Councilman Ferlo, Councilman Hertzberg and possibly other colleagues also. The delegation from the United Electrical Workers Union would you please come forward and our distinguished delegates from Mexico, if you could please come forward, the FAT, Frente Autentico de Trabajo. You didn't think I knew how to

say that. They don't call me El Presidente for nothing.

Mr. Udin:

Council colleagues, this is a really special pleasure for me and, I think, it should be for all Pittsburghers and Pennsylvanians who worry about the ability of the Pittsburgh area to recover from the collapse of the steel industry. And, who worry about the globalization of the economy, which has the effect of taking jobs out of Pittsburgh, out of Pennsylvania and taking them to Third World countries where people are forced in deplorable working conditions in order to maximize the bottom line. It makes sense not only from a human perspective that we support the work of United Electrical and Machine Workers in Mexico and in other Third World countries, but it's even in our direct best interest to do so, because as we bring up the standard of living and the conditions of work for people all around the world, then, it becomes less attractive to take jobs away from Americans and to take them to other Third World countries. So, it is a pleasure that I welcome UE with Robin Alexander as the spokesperson today and four visitors from Mexico who we will hear from shortly.

I'd like to also thank my Council colleagues who supported this resolution, Dan Cohen, Joe Cusick, Alan Hertzberg, Valerie McDonald, Bob O'Connor and Jim Ferlo.

No. 1166. WHEREAS, the United Electrical, Radio and Machine Workers of America (UE), is a labor union headquartered in Pittsburgh. They have entered into a relationship with an independent labor federation in Mexico,

(Frente Autentico de Trabajo or FAT), with the specific objective of supporting the organization of legitimate unions in U.S. manufacturing plants located in Mexico; and

WHEREAS, UE is sponsoring a fourteen day tour which includes women leaders from FAT who work in the trade union and in the cooperative sectors to improve wages and working conditions for Mexican workers; and

WHEREAS, as part of the tour, Matilda Arteaga Zaragoza, Beatriz Lujan, Ada Garcia, Ana Mestre, Veronica Hernandez, and Lindia Oliva are traveling to Pittsburgh to participate in meetings and events sponsored by a host of Pittsburgh Organizations.

THEREFORE, BE IT RESOLVED that Council of the City of Pittsburgh calls on U.S. corporations who operate overseas to conduct themselves as good corporate citizens and comply in full with the laws of the countries in which they choose to operate; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares the week of October 14-20, 1996 as International Labor Rights Week in the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh calls on the United States Congress to take the appropriate steps to re-negotiate NAFTA, and that copies of this resolution be sent to Senators Specter and Santorum and all United States Representatives from Western Pennsylvania.

The Chair:

Motion to approve moved and seconded: all in favor? Unanimous. Mr. Udin:

I'd like to call on Robin Alexander of UE.

The Chair:

Robin.

Ms. Alexander:

Some years ago my union, the UE, established a relationship with the FAT, because we had lost some 10,000 jobs to Mexico and we thought that it was time to develop a new kind of international solidarity, one that was based on organizing that was much more concrete and that began to really take on the problems that were caused on both sides of the border by the trans-national corporations.

Our work has involved both organizing and education and this is part of an exchange of women's delegations. In August eight women from my union went down to Mexico and, I think, in many ways it was an experience that they'll never forget. That it really changed their lives, because it gave them a new view of living and working conditions and what it's like to live in Mexico. But, also it strengthened the commitment of the women in the FAT. but also the men, the leaders and how they're really fighting establish independent democratic unions.

This delegation that is with me today, we're going to eleven cities. The six women represent both the union and cooperative sectors of the FAT. And, for them too it has been a tremendous learning

experience, because they came thinking that our streets were paved with gold. That we didn't have problems. And, I think, it has been really quite an emotional experience to them to find out that we have problems here too, but also that there are workers and others who are fighting for iustice.

And, Matilda Arteaga, who is responsible for the women's work within the FAT wants to say a few words to you.

Ms. Matilda Arteaga Zaragoza (which was translated by Ms. Alexander):

women's On behalf of the delegation from the FAT I really want to thank you for passing this resolution and I also want to talk a little bit about the impact that NAFTA has had on us

This globalization has as its motor the trans-national corporations that are able to move all around the world. They violate workers' rights. They have an impact on the money available for social services and more than anything else, they're causing workers in all of the countries, in Canada, the United States and Mexico to lose their jobs.

The women who you see here before you today are traveling to many states within your country to talk to you about the impact that we're experiencing and the misery, the crisis and the inhuman conditions under which we have to live.

And, we are visiting unions and other organizations and people like you who still have the sensibility to pass resolutions and declarations in favor of human rights. I thank you very, very much.

The Chair:

Thank you. We want to thank all of you for your hard work. We believe, your struggle is our struggle. Very clearly, the agreements that have been promulgated by Congress, both NAFTA and the FAT are unlikely to be undone. And, I think, it's important and incumbent upon all of us together to try to level the playing field and that not only means unionization and improving the living standard and the health and environmental conditions of consumers and workers in Mexico, but also this country. And, if we're going to have that struggle given the international character of capital, then, we must have international solidarity between working people of this country and Mexico.

We applaud all of you and thank you for your tremendous struggle on behalf of your workers and also our workers. Thank you very much. Again, we want to thank the International United Electrical Workers Union. They're one of the additional international unions headquartered in our great city along with the steel workers and we thank them for their very progressive and hard work on behalf of all working people.

We're going to move to presentation of papers. Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Councilman Cohen.

MR. COHEN PRESENTED:

No. 1167. A resolution providing for an Agreement with competitive local exchange carriers for the provision of 911 service to their local customers.

The Chair:

Councilman Cusick, Committee on Parks and Recreation and Youth Policy.

Mr. Cusick:

Mr. President.

The Chair:

Thank you, Councilman Cusick.

Mr. Cusick:

Mr. President, if I may, I'd like to waive on the bill so it can be heard in Wednesday's meeting.

The Chair:

As soon as we read it.

MR. CUSICK PRESENTED:

No. 1168. An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations Applicable to All Districts, Section 993, Exceptions, by adding specific criteria to permit residents to construct an off-street parking stall on their property under certain conditions.

The Chair:

Motion to waive ruled moved and second; all in favor; opposed? Motion carries. Thank you very much.

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you, Councilman Hertzberg.

MR. HERTZBERG PRESENTED:

No. 1169. A resolution authorizing and directing the Mayor and the Director of Parks and Recreation to add Elliott to the West End Overlook signage in the 20th Ward, Council District 2.

The Chair:

Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you, Councilwoman.

MS. McDONALD PRESENTED:

No. 1170. Resolution approving execution of a Contract for disposition by sale of land by and between URA and Pittsburgh Manchester Hope-VI Partnership for the sale of properties in the 21st Ward, Redevelopment Area No. 27, residential construction.

Also,

No. 1171. A resolution approving the execution of a Contract for disposition by sale of land by and between the URA and the Housing Authority of the City of Pittsburgh for sale of properties in the 21st Ward, Redevelopment Area No. 27, residential construction.

Also,

No. 1172. A resolution approving the execution of a Contract for disposition of land by and between URA and Signature Homes, Inc. for the sale of parcels D, B, and C of the Southside Riverfront Housing Site in the 17th Ward, S. 16th, S. 17th and S. 18th Streets, Merriman Way and Wharton Street, Council District 3, residential construction.

The Chair:

Councilman Onorato for Mr. O'Connor, Committee on Engineering and Construction.

Mr. Onorato:

Mr. President, no new papers.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

No new papers, Mr. President.

The Chair:

Thank you, Councilman. Councilman Ricciardi, Public Works, Water and Environmental Services.

Mr. Ricciardi:

Mr. President. MR. RICCIARDI PRESENTED:

A resolution amending No. 1173. Resolution No. 455 effective June 29, 1994 entitled. "Providing for a contract or contracts, or use of existing contracts, for surface installation safety Department of Public Works..." by increasing the total allocation by \$100,000.00 \$103,242,18 from \$203,242.18.

Also,

No. 1174. A resolution amending Resolution No. 541 effective July 31, 1996 entitled, "Providing for a contract(s) or use of existing contracts, for the purchase of play equipment and play area safety improvements at various park facilities in CD areas throughout the City" by decreasing the total project allocation by \$103.242.18 from \$404,000.00 to \$300.757.87.

The Chair:

Councilman Udin, Chairman of Finance and Budget, Appropriations, Ways and Means. All powerful committees, Committee Chair.

MR. UDIN PRESENTED:

No. 1175. A resolution providing for the issuance of a warrant in favor of Robert H. Lutz in the amount of \$2,120.85 in settlement of claim for property damage due to sewer back up chargeable to Code Account 46, Index Code 004606.

Also.

No. 1176. A resolution providing for the issuance of a warrant in favor of Craig and Carmelita Korbett in the amount of \$3,750.00 in settlement of claim for property damage due to sewer back up chargeable to Code Account 46, Index Code 004606.

Also,

No. 1177. A resolution providing for the issuance of a warrant in favor of Ruth Fitzgerald in the amount of \$940.00 in settlement of claim for sidewalk damage due to City tree roots chargeable to Code Account 46, Index Code 004606.

Also,

No. 1178. A resolution providing for the transfer of \$25,000.00 from Non-Departmental Code Account 41, Refunds-Real Estate Tax to Non-Departmental Code Account 50, Refunds-Sewage charges, \$25,000.00.

THE CHAIR PRESENTED:

No. 1179. An Ordinance amending the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications, Section 425.07, Pittsburgh Cable Communications Advisory Committee, by allowing for a one month recess of the Cable Advisory Committee during the month of August.

The Chair:

I need a motion to waive.

Mr. Hertzberg:

So moved.

Mr. Cusick:

Second.

All in favor? Thank you, that concludes our read and adopted presentation of papers. Moving to unfinished business, at the request of some of the union officials, I'm asking to hold the Roddey appointment issue for one week. It will come up next week. That's Bill 1133.

Moving to reports of Committee beginning with --

Mr. Onorato:

Mr. President.

The Chair:

Councilman Onorato.

Mr. Onorato:

That's fine if it's the will of the body, but I had conflicting comments from the unions. So, where do we stand? Do you have something in writing? I got a call this morning.

The Chair:

Well, that's one of the problems and I've gotten several calls from officers and I'm asking that we hold it one week so that we can hear something from them. To be allowed an opportunity to meet in Executive Session following the interaction by the Mayor yesterday afternoon. Well, in any event, I'm asking it be held for one week.

Mr. Onorato:

I think, there should be a vote on that request, because I don't understand why we're holding it.

The Chair:

I'm holding it, but I don't have the power to make a motion on the floor.

Mr. Ricciardi:

I'll make the motion to hold for one week.

Mr. Cusick:

Second.

The Chair:

Any discussion.

Mr. Onorato:

Roll call, please.

The Chair:

Roll call vote.

AYES

Mr. Cusick

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Riccardi

Mr. Udin

Mr. Ferlo (Pres't.)

ABSTAIN:

Mr. Onorato

AYES: 7

NOES: 0

ABSTAIN: 1

The Chair:

The bill is held. Thank you. Moving to reports of committees, Committee on Finance --

Mr. Cohen:

Could I register my vote, Mr. President.

The Chair:

Councilman Cohen.

Mr. Cohen:

Is this on the hold for the Roddey nomination?

The Chair:

I don't know. Depends on where you walk down the hallway, depends on which.

Mr. Cohen:

Discussion on the hold motion, please.

The Chair:

We're in the middle of the vote; you're voting now.

Mr. Cohen:

Well, I'd like to know why there is a motion to hold this bill?

The Chair:

Well, as I stated earlier when you were out meeting with the Mayor's Office, I indicated that at the request of some union officials, we'd like an opportunity to meet in Executive Session and we're holding it for one week.

Mr. Cohen:

I just had a phone conversation --

The Chair:

We're in the middle of the vote now. Excuse me, you're out of order, Councilman.

Mr. Cohen:

I'm not out of order to discuss this bill, Mr. President.

The Chair:

Councilman, we're in the middle of a vote.

Mr. Onorato:

Order of procedure, motion to reconsider the vote.

The Chair:

No.

Mr. Onorato:

We're allowed to --

The Chair:

We're in the middle of the vote.

Mr. Onorato:

It's not a dictatorship, Mr. President. Motion to reconsider the vote.

The Chair:

Excuse me --

Mr. Cohen:

Second on the motion to reconsider the vote.

Mr. Onorato:

We'll call a vote. We'll call a vote and the motion will be reconsidered.

The Chair:

Excuse me, you're out of order at this time --

Mr. Onorato:

I want a Parliamentarian up here, then. I want the Parliamentarian up here; motion to reconsider the vote. I have a second

The Chair:

Excuse me, Councilman Onorato. Excuse me, if you let me conclude the vote, I'll be happy to entertain your motion for reconsideration.

Mr. Cohen:

We have not completed the vote.

The Chair:

So, I'm asking that the vote be concluded. What is your vote on the --

Mr. Cohen:

Mr. President, a point of order --

The Chair:

The vote on the floor is to hold it one week.

Mr. Cohen:

Listen, don't interrupt me. I have the opportunity to speak. I'm an elected official of this body. A motion — a point of order overrules any other point.

The Chair:

Not in the middle of a vote.

Mr. Cohen:

In the middle of the vote or any other time and I challenge the Chair and we'll go to the Solicitor if we have to.

The Chair:

I'm asking that we conclude the vote, then, I will certainly entertain Councilman Onorato's motion for reconsideration. I don't think that's being unreasonable.

Mr. Cohen:

I challenge --

The Chair:

Excuse me, I don't think it's not only being unreasonable in terms of protocol, I think, it's also parliamentarily correct. I'm asking that we conclude the vote, then, I'll entertain Councilman's motion for reconsideration. I'm not asking that we -- I'm not attempting to quash the legitimate dissent. I'm asking that we do it in an orderly fashion. We're in the middle of a roll call vote. I don't think that's being unreasonable.

Mr. Cohen:

I ask for the Parliamentarian to come to this body.

The Chair:

Well, you're out of order. I'm asking that you vote and, then, I want to entertain Councilman Onorato's motion for reconsideration. So --

Mr. Cohen:

So, the point of order is not --

The Chair:

Excuse me, we're in the vote, Mr. Cohen chooses not to vote what is the vote tally?

Mr. Cohen:

Motion to challenge The Chair.

The Chair:

We're not challenging The Chair at this point.

Mr. Cohen:

There has been a motion and second to challenge The Chair.

The Chair:

Excuse me, Councilman --

Mr. Cohen:

Motion to challenge The Chair, Mr. President. You know that overrules you're acting in violation of parliamentary rules.

The Chair:

Excuse me, Councilman, we are going to conclude the vote and, then, I'm going to ask for an entertainment of Councilman Onorato's vote, which is to move for reconsideration. I don't think that's being unreasonable in terms of moving this agenda ahead.

The vote is concluded. Councilman Cohen wishes not to vote on this motion to hold for one week. Now, I do not think it's correct in terms of Robert's Rules of Order, but recognizing there's a legitimate dissent within the body, I will recognize having won an affirmative vote, I will entertain Councilman Onorato's —

Mr. Ricciardi:

A point of order, though, Mr. Chair, if I might.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

And, I think, I'm correct in this that in order to reconsider, the motion needs to be made by someone who voted in the affirmative.

The Chair:

That is true.

Mr. Ricciardi:

So, someone who voted in the affirmative must make a motion to reconsider. With all due respect to my colleague, Mr. Onorato, he abstained so he cannot make the motion.

Mr. Onorato:

Point of order. Colleague has a right to reconsider his vote, I vote, yes, on that last bill.

The Chair:

Thank you.

Mr. Onorato:

Now, I'm going to make a motion to reconsider the vote --

The Chair:

Thank you.

Mr. Onorato:

-- for the purpose of letting Councilman Cohen discuss the motion.

The Chair:

Thank you and in either case I was attempting to recognize what is legitimate dissent and, I think, we should move on your concern and vote it up or down. So,

the motion on the floor is to move for reconsideration

Mr. Onorato:

For purpose of discussion.

The Chair:

Is there discussion on the motion? Councilman Cohen.

Mr. Cohen:

My understanding is that the reason that this bill is being hold -- held rather or a motion to hold is on the floor is because information has been brought before this body that the union wishes to hold this bill.

The Chair:

I did not say that. Had you been in the room you would have, clearly, heard me say that I received calls from some union officials requesting a hold motion for further discussion amongst their group. I did not, specifically, say --

Mr. Cohen:

Would you say who those officials are, Mr. President? Because, my understanding is and, yes --

The Chair:

Well, I think, a number --

Mr. Cohen:

My understanding is that --

The Chair:

Councilman Cohen, in addition to --

Mr. Cohen:

Will you let me speak, please, Mr. President?

The Chair:

-- you receiving calls -- in addition to you receiving calls from the Mayor's Office, clearly, others have also received calls from the union.

Mr. Cohen:

I received calls from the union as well and my understanding is that the union supports this 100%.

The Chair:

Any other discussion?

Mr. Cohen:

No, I'm going to speak, Mr. President.

The Chair:

Well, then, finish.

Mr. Cohen:

You interrupted me five, six, seven times now and I am going to speak --

The Chair:

You have the floor.

Mr. Cohen:

-- because I am an elected representative of this body and have a right to speak.

The Chair:

You have the floor.

Mr. Cohen:

From the beginning of this issue there has been wrong information, misinformation brought before this body. From the moment this nomination was put forward. First, there are people who said that Mr. Roddey was being put on the Board, because he wanted to privatize ALCOSAN. He spoke 100% against that at the Wednesday meeting.

Now, information is being brought before this body saying that the union wishes or members of the union wish to have this bill held. My understanding is that the opposite is true. That members of the union met with the Mayor and with Mr. Roddey yesterday. That they had a long conversation and that the union does not oppose this nomination and, therefore, it should go through. So, I'd like to know what the information is on the other side.

The Chair:

Thank you, Councilman. Councilman Cusick. Again, I'd rather not have long discussion, but move quickly on the vote for reconsideration. Councilman Cusick.

Mr. Cusick:

Yes, as a Board member of ALCOSAN, Mr. President, I deal directly with a lot of the union members. I did get a

lot of calls this morning from the union personnel and they asked me to hold the bill; if we could hold this for one week.

Mr. Cohen:

Well, with all due respect --

The Chair:

Other, excuse me --

Mr. Cusick:

Exactly what was discussed in Mayor Murphy's Office.

The Chair:

Thank you. Councilman Onorato. This is on the motion for reconsideration.

Mr. Onorato:

Words to the reconsideration. Regardless of what anyone actually thinks on the appointment's one issue, this is on the reconsideration and hold. My concern is, obviously, that there are conflicting reports from what you heard, Mr. President, and from what I heard. I talked to them last night at my home with them. I talked to them today on the phone and I have just the complete opposite information that, you said, you received from them. So, you're damn right I'm going to talk with them when they come in, because I don't appreciate this at all. It's either you pulling a maneuver or they're pulling a maneuver. I was told in direct contradiction to what you're saying here today and I don't like being pulled around like that. I don't know who is pulling the chain right now, but I'm going to find out at the end of this, because this is ridiculous. This is ridiculous.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

All that's happening here is a week hold. I don't -- nobody ever impressed upon me the urgency of this vote and if there is an urgency there, there's something special, a deadline --

The Chair:

Like Bigelow Boulevard, it's a political perception of power not --

Mr. Onorato:

What it is, is the minority control of Council again, because you can't get the majority vote. I don't care if we vote it up or down, but let's vote.

Mr. Hertzberg:

Why? What's the urgency? That's my question.

Mr. Onorato:

The urgency, there's no urgency. Next week you're going to have another hold. You're going to have another distraction, because if you don't get the five you're going to have another roadblock put up. You thought Bigelow was closed; what do you say we close this Chamber?

The Chair:

Excuse me, on the issue of motion to reconsider roll call vote.

AYES:

NOES:

Mr. Cohen Mr. Onorato Mr. Cusick Mr. Hertzberg Mr.

O'Connor

Mr. Ricciardi Mr. Udin Mr. Ferlo

ABSTAIN:

Ms. McDonald

AYES: 2

NOES: 6

ABSTAIN: 1

The Chair:

Okay, the motion is defeated. The appointment Bill 1133 is held for one week. And, again, I want to clarify it. I did not say that I received an official notice from the official president of any union. I said, that I indicated communication from various officers and rank and file members regarding this issue independently of the fact that you know I oppose the appointment. So, I just want to clarify that to Councilman Cohen. Thank you very much.

Moving to reports of committee beginning with Committee on Finance and Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman Udin.

MR. UDIN PRESENTED:

Resolution Bill No. 1121. amending Resolution 617 of 1995 entitled, "Resolution providing for an Agreement(s) with various community organizations for operational/administrative maintenance, purchase of equipment: and/or rehabilitation of neighborhood facilities for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$1,155,600.00, chargeable to and payable from the 1996 CDBG Program" so as to change Project No. 4-40-05-0118-96-942-96-35, "Goods for Guns" to Allegheny General Hospital - Goods for Guns Program". This action is needed in order to meet contractual considerations with the Agency.

Also,

No. 1123. Resolution providing for the issuance of a \$2,250.00 warrant in favor of James D. Porto in settlement of claim for sidewalk damage as a result of City tree roots.

Also.

No. 1124. Resolution providing for the issuance of a \$1,475.90 warrant in favor of Shirley J. Sloan in settlement of claim for an accident involving a City vehicle.

Also.

No. 1127. Resolution
amending Section 1 of Resolution 590 of
1996 which authorized an agreement or
agreements with Natalee Hillman for
professional services in connection with the
Unisource 2000 project; by increasing the

total allocation by \$10,000.00, from \$20,125.00 to \$30,125.00, payable from Code Account 1017, Miscellaneous Services, Office of the Mayor. Assuming Ms. Hillman continues to work on the project full time through December, she will reach the maximum hours and dollars allowed under her current contract some time in October. To continue her current level of participation, her contract will need to be extended to cover approximately 400 additional hours of work.

Also,

- No. 1129. Resolution repealing resolutions, approved various dates, authorizing the sale of properties in various wards of the City of Pittsburgh in accordance with Act No. 171 of 1974.
- (A) Resolution 643/1994. Lot No. 25.22 x avg. 50.05, 220 N. Linden Avenue, purchaser Raymond L. Burgess, 14th Ward, Block 125P, Lot 21, amount forfeited \$650.00, (Council District 9).
- (B) Resolution 1295/1993, Lot 37×102.92 and Lot 37×202.51 , 6812-6814-6816 Simonton Street, purchaser Helen E. Hurst, 14th Ward, Block 125L & 124R, Lot 375 & 217, amount forfeited \$300.00. (Council District 9).
- (C) Resolution 567/1995, Lot 25 x 100, 521 Curtin Avenue, purchaser Richard & Mildred Hopfer, 18th Ward, Block 14J, Lot 243, amount forfeited \$101.00. (Council District 3).
- (D) Resolution 326/1996, Lot 20.14 x 122 & Lot 20.14 x 127.22, 3112-3114 Shadeland Avenue, purchaser Anthony R. & Virginia Cortese, 27th Ward, Block 76N,

- Lot 131 & 132, amount forfeited \$100.00. (Council District 1).
- (E) Resolution 460/1995, Lot 16.12 x 75, 528 Courtland Street, purchaser Thomas R. Sedlak, Jr., 15th Ward, Block 56P, Lot 48C, amount forfeited \$350.00. (Council District 5).
- (F) Resolution 1352/1993, 2 sty. insulbrk. hose., Lot 20 x 93, 6947 Kedron Avenue, purchaser Easton & Alathea Wharton, 12th Ward, Block 125D, Lot 128, amount forfeited \$200.00. (Council District 9).
- (G) Resolution 74/1994, 3 sty. brk. hse., b.c. gar., Lot 20 x 110, 4812 Rosetta Street, purchaser Valerie L. Reuben, 10th Ward, Block 50F, Lot 73, amount forfeited \$1,000.00. (Council District 7).
- (H) Resolution 1133/1993, 2 sty. brk. hse., Lot 14.92 x 50.09, 508 Richland Street, purchaser Maggie Walker, 13th Ward, Block 174P, Lot 16, amount forfeited \$400.00. (Council District 9).
- (I) Resolution 422/1995, 2 sty. brk. hse., Lot 28 x 85, 507 Lincoln Avenue, purchaser Alma Hicks, 12th Ward, Block 125B, Lot 84, amount forfeited \$350.00. (Council District 9).
- (J) Resolution No. 286/1995 2 1/2 sty. brk. hse., c.b.gar. Lot 37.5 x 100, 232 Charles Street, purchaser Russell A. Anthony, Jr., 30th Ward, Block 14K, Lot 297, amount forfeited \$400.00. (Council District 3).

The Chair:

You have heard the reading and title of the bills. Is there any discussion?

Mr. Onorato:

Are any of these bills related to the appropriate programming of dollars for the parks? Are they in this committee at all?

The Chair:

I believe, they'll be under Councilwoman McDonald.

Mr. Onorato:

Because, I know there are about fifteen bills and they're scattered.

The Chair:

They're going to be read, I believe, under Councilwoman McDonald's committee in relation to the COP money. Hearing no other discussion, if you're in favor of the bills vote, aye, when your names are called, if you're opposed vote, no. Will the Clerk please call the roll?

AYES:

Mr. Cohen

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 8

NOES: 0

The bills having received the legally required number of votes have been

approved finally. Committee on Public Works, Water and Environmental Services, Councilman Ricciardi.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you, Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1122. Resolution vacating a portion of Rieseck Way between Range Way and Vulcan Way in the 22nd Ward, 6th Council District of the City of Pittsburgh.

The Chair:

You have heard the reading and title of the bill. Is there any discussion? Hearing none the bill is now ready for final action. All in favor of the passage of the bill will vote, aye, when your names are called; if you oppose vote, no. Will the Clerk please call the roll.

AYES:

Mr. Cohen

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 8

NOES: 0

The bills having received the legally required number of votes have been

approved finally. Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you, Councilwoman McDonald

MS. McDONALD PRESENTED:

No. 1084. Resolution amending Resolution No. 143, effective February, 1990 as amended by Resolution No. 677 of 1990, by Resolution No. 710 of 1992, by Resolution No. 706 of 1993, and by Resolution Nos. 440 and 716 of 1995 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1990 Community Development Block Grant Program" so as to reduce line items in City Planning and add a line item in Engineering and Construction.

Also.

No. 1085. Resolution amending Resolution No. 330, effective April 3, 1992 as amended by Resolution No. 718, effective June 23, 1992, by Resolution No. 770. effective July 10, 1992, by Resolution No. 928. effective September 18, 1992, by Resolution No. 163 of 1993, by Resolution No. 443 of 1995, and Resolution No. 362 of 1996 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a

grant in connection with the 1992 Community Development Block Grant Program" so as to reprogram funds in City Planning, the Department of Engineering and Construction; and City Council.

Also.

No. 1086. Resolution amending Section 10 of Resolution No. 234 of 1986 as amended by Resolution No. 1180 of 1986, by Resolution No. 43 of 1987, by Resolution No. 1009 of 1987, Resolution No. 715 of 1980, by Resolution Nos. 133, 875, by Resolution No. 1182 of 1990, by Resolution No. 1156 of 1991, by Resolution No. 711 of 1993, by Resolution No. 444 of 1995, and by Resolution No. 359 of 1996 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the Department of Housing and Urban Development for a grant in connection with the 1986 Community Development Block Grant Program", so as to reprogram funds from the URA and reprogram funds to the Department of Engineering and Construction.

Also,

No. 1087. Resolution amending Resolution No. 448, effective June 16, 1988 as amended by Resolution No. 627, effective August 2, 1989, Resolution Nos. 132 and 1184, Resolution No. 201 of 1991, Resolution No. 709 of 1993, Resolution No. 442 of 1995, and Resolution No. 360 of 1996, entitled "Resolution providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1988 Community Development Block Grant Program", so as to reprogram funds

from City Council and reprogram funds to the Department of Engineering and Construction.

Also,

No. 1088. Resolution amending Section 10 of Resolution No. 70, effective March 7, 1989, as amended by Resolution No. 776 of 1989, by Resolution No. 874 of 1990, by Resolution No. 1159 of 1991, by Resolution No. 657 of 1992, Resolution No. 708 of 1995, by Resolution No. 441 of 1995 and by Resolution No. 357 of 1996 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1989 Community Development Block Grant Program" so as to add a line item in the Department of Engineering & Construction and reprogram funds from the Department of City Planning.

Also,

No. 1089. Resolution amending Resolution Nos. 507, 706, 956, 1148 and Resolution No. 1221 of 1991, Resolution Nos. 211, 524, 720, and 929 of 1992. Resolution No. 707 of 1993, Resolution No. 644 of 1994, Resolution No. 439 of 1995, and Resolution No. 361 of 1996 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1991 Community Development Block Grant Program, so as to reprogram funds in City Council and the Department of Engineering and Construction.

Also,

Resolution further No. 1090. amending Resolution No. 149, effective March 8, 1994, as amended by Resolution No. 277, effective May 3, 1994, and by Resolution No. 949 of 1995 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program" by reprogramming in the Department of City Planning, City Council, the Housing Authority and the Department of Engineering and Construction.

Also,

No. 1091. Resolution amending Resolution No. 228, effective March 19, 1993, as amended by Resolution No. 366, effective April 29, 1993, by Resolution No. 1056, effective August 24, 1993, by Resolution No. 1219, effective November 1, 1993, by Resolution No. 755, effective October 10, 1994, and by Resolution No. 845 effective November 4, 1994, and Resolution No. 937, effective December 7, 1994, and by Resolution No. 744 of 1995, entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the Community Development Block Grant Program" so as to decrease line items in City Council; decrease a line item in City Planning; increase line items in City Council: add line items in City Council; and add line items in the Department of Engineering and Construction.

Also,

No. 1092. Resolution further amending Resolution No. 377 of 1995. approved May 25, 1995, as amended by Resolution No. 947 approved December 22. 1995 and by Resolution No. 289, effective May, 1996 entitled "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1995 Community Development Block Grant Program" so as to transfer funds in the Department of Personnel and Civil Service, and by reprogramming funds from the Department of City Planning (Public Safety initiative) to the Department of Engineering and Construction (Rehab Existing Playgrounds).

Also,

No. 1093. Resolution amending Resolution No. 785, approved July 23, 1990, "Providing for an Agreement or Agreements with a consultant consultants for the purpose of providing architectural and design services, consumer surveys and market studies, promotional activities. commercial revitalization planning assistant, and business district management in various neighborhood business districts as part of the City's Neighborhood Business District Revitalization Program" so as to reduce the amount from \$285,000.00 to \$278,103.39.

Also.

No. 1094. Resolution amending Resolution No. 786, approved July 23, 1990, providing for an Agreement or Agreements with Community Based Organizations and for community and economic development planning assistance in various neighborhoods in the City and

providing operating support for groups undertaking community economic development through the Pittsburgh Partnership on Neighborhood Development, so as to reduce the amount from \$495,000.00 to \$489,464.70.

Also,

No. 1095. Resolution amending Resolution No. 813, effective August 22, 1991 entitled "Providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in the amount not to exceed \$605,000.00", so as to reduce the amount of encumbrance to \$604,428.69.

Also,

No. 1096. Resolution amending Resolution No. 496, approved May 1, 1992 entitled, "Providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$600,000.00" so as to reduce the amount to \$583,598.37.

Also,

No. 1097. Resolution amending Resolution No. 370, approved April 29, 1993 entitled "Providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance at various neighborhoods in the City and providing operating support for these groups in an

amount not to exceed \$600,000.00, so as to reduce the amount to \$599.220.03.

Also,

No. 1098. Resolution amending Resolution No. 552, effective May 4, 1992, entitled "Resolution providing for an Agreement or Agreements with St. Clair Athletic Association for rehabilitation of their Senior Center in an amount not to exceed \$6,000.00", so as to reduce the amount allocated from \$6,000.00 to \$5,891.00.

Also,

Resolution amending No. 1099. Resolution No. 275, effective May 3, 1994 entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operation/administrative expenses. maintenance, purchase of equipment. and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,460,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program, Department of City Planning", so as to reduce the amount to \$1,459,757.60.

Also,

No. 1100. Resolution amending Resolution No. 657, approved August 11, 1988 entitled "Resolution providing for an Agreements with Agreement or Based Organizations for Community community and economic development assistance in various planning neighborhoods in the City in an amount not to exceed \$360,000.00", by reducing the amount from \$360,000.00 to \$356,011.00.

Also,

No. 1101. Resolution amending Resolution No. 735, approved July 16, 1990 entitled "Resolution providing for the letting of a contract or contracts, or for the use of existing contracts, for the printing and delivery of projects including, but not limited to the Six-Year Development Program for the Department of City Planning, Code Account CDCP, Project No. 4-35-01-0002-89-050-89-35, Index No. 584169, for the payment thereof", by reducing the amount from \$75,000.00 to \$73,341.67.

Also,

No. 1102. Resolution amending Resolution No. 679, approved July 16, 1990 and Resolution No. 317, effective April 13, 1989, entitled "Providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof", so as to reduce the amount encumbered from \$450,000.00 \$449,195.00.

Also,

No. 1103. Resolution amending Resolution No. 683, approved July 16, 1990 entitled "Providing for an Agreement or Agreements, or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, or related activities at a cost not to exceed \$390,000.00", by reducing the amount from \$390,000.00 to \$389,921.97.

Also,

No. 1104. Resolution amending Resolution No. 495, effective May 1, 1995 entitled, "Providing for an Agreement or Agreements with Pittsburgh Partnership. Inc., for administration of a program to provide funding for community development corporations undertaking community economic development activities in an amount not to exceed \$420,000.00" so as to reduce the amount to \$419,930.68.

Also,

No. 1105. Resolution amending Resolution No. 476, effective May 23, 1991, entitled "Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh for administrative assistance in operating the "Housing Counseling Program" for low and moderate income families, at a cost not to exceed \$210,000.00, so as to reduce the amount allocated to \$209,875.00.

Also,

No. 1106. Resolution amending Resolution No. 769, effective July 6, 1992, entitled "Resolution providing for an Agreement or Agreements with the Pittsburgh Literacy Initiatives for administrative/operating assistance at a cost not to exceed \$5,000.00", so as to reduce the amount allocated from \$5,000.00 to \$4,926.16.

Also,

No. 1107. Resolution amending Resolution No. 550, effective May 4, 1992 entitled "Resolution providing for an Agreement or Agreements with the Pittsburgh Recovery Center for administrative support in an amount not to exceed \$4,000.00" so as to reduce the amount allocated from \$4,000.00 to \$3,614.63.

Also,

No. 1108. Resolution amending Resolution No. 548, effective May 4, 1992, entitled "Resolution providing for an Agreement or Agreements with Lincoln-Larimer-Lemington-Belmar Citizens Council for administrative/operating support of their "Housing Information Program" in an amount not to exceed \$38,888.00," so as to reduce the amount allocated from \$38,888.00 to \$38,851.43.

Also,

No. 1109. Resolution amending Resolution No. 458, effective May 1, 1992, entitled "Resolution providing for an Agreement or Agreements with Pittsburgh Community Services, Inc., located at 1835 Centre Avenue for the provision of administrative assistance in carrying out hunger related programs for public services to low and moderate income persons, in an amount not to exceed \$185,000.00" so as to reduce the amount allocated \$184,971.67.

Also.

No. 1110. Resolution amending Resolution No. 539, effective May 7, 1993, entitled "Resolution providing for an Agreement or Agreements with Chemical People Institute for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed

\$3,000.00", so as to reduce the amount allocated from \$3,000.00 to \$2,922.00.

Also.

No. 1111. Resolution amending Resolution No. 516, effective May 7, 1995, entitled "Resolution providing for an Agreement or Agreements with the Urban League for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$2,777.00, so as to reduce the amount allocated from \$2,777.00 to \$2,574.02.

Also,

No. 1112. Resolution amending Resolution No. 552

No. 1103. Resolution amending Resolution No. 683, approved July 16, 1990 entitled "Providing for an Agreement or Agreements, or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants or Vendor or Vendors, for the purpose of conducting planning and management studies, or related activities at a cost not to exceed \$390,000.00", by reducing the amount from \$390,000.00 to \$389,921.97.

Also.

No. 1113. Resolution amending Resolution No. 274, effective May 3, 1994 entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities for the benefit of residents of the

City of Pittsburgh, at a cost not to exceed \$863,000.00, chargeable to and payable from the 1994 Community Development Block Grant Program" so as to reprogram funds in various programs and reduce the overall amount to \$848,460.45 (-\$14,539.55).

Also,

No. 1114. Resolution repealing Resolution No. 94, approved February 19, 1992 providing for an Agreement or Agreements with the Carriage House for handicapped accessibility improvements in an amount not to exceed \$2,111.00.

Also,

No. 1115. Resolution repealing Resolution No. 475 approved May 7, 1993, entitled "Providing for an Agreement or Agreements with Heavenly Visions Ministries for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$1,164.00.

Also,

No. 1116. Resolution repealing Resolution No. 93 approved February 19, 1992 entitled "Providing for an Agreement or Agreements with the Squirrel Hill Urban Coalition for operating assistance at a cost not to exceed \$2,000.00.

Also,

No. 1117. Resolution repealing Resolution No. 530 approved May 7, 1993 entitled, "Providing for an Agreement or Agreements with Black Construction Association for operational and/or administrative expenses, including purchase of equipment or materials, for the benefit of low-moderate income residents of the City of Pittsburgh, at a cost not to exceed \$4,750.00.

Also,

No. 1118. Resolution amending Resolution No. 476, effective June 10, 1986, as amended by Resolution No. 830, effective September 29, 1986, as amended by Resolution No. 102, effective February 16, 1987, as amended by Resolution No. 690, effective August 17, 1989 entitled "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1986 Community Development Block Grant Program; and providing for the payment of costs thereof" to decrease a line item and the total cost by \$24,300.80.

The Chair:

You have heard the reading and title of the bills. Is there any discussion? Councilman Onorato.

Mr. Onorato:

Now, these bills are to reprogram the dollars for the parks?

The Chair:

Yes.

Mr. Onorato:

I want all my comments brought forward and I'm going to be voting, no, and

I want to explain again today, because there seems to be some mis-information.

I'm voting, no, not because I don't support the rehab of the parks. I do support the that, I disagree with where we're taking the money from. I'm not going to transfer any money out of the CD dollars that was earmarked for the COP Program. I think, it should stay there. I want to clarify last week, because I think, the Deputy Mayor was partially incorrect when he said that these funds could not be used for police activities. That just is not true. statement should have been they cannot be used for police activity unless you do a few things. And, it is true that we would have to hire, probably, eighty officers before we could touch that money. That's one option.

The other option is, according to Mr. Bellisario at a previous meeting, that if we would wait at least twelve months we could re-petition HUD to lower the threshold. Either scenario would be fine with me. I think, the money should stay with the COP Program, so I won't take it. I want to stay consistent with my votes. I don't think it should have been used for the Disparity Study. I came up with a counter proposal, which this Council rejected, the majority rejected. We did take \$250,000.00 out the COP Program for the Disparity Study, which I still think was wrong and I still think it's wrong to use this money for parks. It should be there for COP officers. It should stay there and this is no time to retreat on the COP Program using Federal dollars, especially, with the good news we're hearing about how low the crime rate is. I will be voting, no, for that reason.

The Chair:

Other discussion? Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. With all due respect to my colleague, I don't believe this is in anyway a retreat from the COP Program. The Administration and Council have put a tremendous amount of resources and effort into the COP Program. We now have COP officers in every single neighborhood in the City.

Realistically, Councilman Onorato is correct in terms of technically, but realistically we cannot hire more police officers with this fund. We just can't. So, although, I certainly respect his opinion, this is in no way a retreat from the COP Program. If anything, what this is, is an investment in our children by renovating their main source of recreation in the City and that is playgrounds.

The Chair:

Thank you. Councilman Ricciardi, then, Mr. O'Connor.

Mr. Ricciardi:

Thank you. I'm very excited to support the bills today. I think, this is a very aggressive approach to renovation and refurbishing our playgrounds, which is very important to all of our young people and to parents in the City of Pittsburgh. I think, the catalyst was Councilman Dan Cohen's legislation, which did a complete inventory and assessment of all of our parks. I think, the leadership of Mayor Murphy to actually find the dollars to make that commitment and to partnership with this body, will soon be recognized throughout the City of

Pittsburgh and really commended by all the taxpayers and I look forward to becoming a partner in this venture and voting for it today. Thank you.

The Chair:

Mr. O'Connor.

Mr. O'Connor:

I'd like my comments brought forward too. And, getting back to the debate about the COP Program. everyone would remember I started that my first six months in Council and I discovered this money and all my colleagues supported it. We can argue whether this Mayor is retreating or not, but you know, we debated whether they can use the money or they can't use the money. They, probably, can't use the money for the simple reason that from a year ago we had 1,272 officers now we're down to 1,148. We're 130 officers short of a year ago. And, at one time we were almost as high as 1,300. So, the threshold is not there, so it can't be used. It's obvious this Administration does not is saving money on police, so it's obvious to me that it won't get to that threshold. So, therefore, if we have no alternative whether to let the money sit or to be in parks I would, certainly, support the parks.

My first choice, though, would have been to keep the COPs and the eighty-eight neighborhood cops. Although, there are some there

we are still 130 officers short of last year. So, that's a fact. So, they are retreating somewhere. I hope that, as you remember, Sophie and a couple of years ago we added and, I think, Councilman Cohen helped in that, hiring a 100 more officers. This was four or five years ago when no one thought

there was a crime issue. So, it's obvious that those 100, 200 police this Council put on three or four years ago is paying off. I just hope by scaling it back that the crime doesn't start rising in a year or two. So, I just want to be able to support, I do support Mr. Onorato's statement, that I think it is a retreat from the COP. But, that's another issue that isn't before us right now. This Administration won't put the money in place, so therefore, they want to put it in parks.

I have one concern about -- and I do have an amendment in front of you. I don't like -- I'm concerned that \$75,000.00 was taken out of the Community Enrichment Program, which is actually the afterschool based program we've all supported. I don't want to interfere with the renovation of the parks. So, what my amendment says, I think, everyone has a copy; that we will be putting \$75,000.00 back into the school outreach program and it will be coming from 1985 Community Block Grant money that is still sitting, there's \$100,000.00 sitting in the Picket Fence Program. So. I would ask my colleagues to support me in keeping the money in the Community Enrichment Program and taking it from the Picket Fence Program, which will not interfere with the rehab of the playgrounds.

The Chair:

So, there's no net change. You're just switching one code account for the other in that amount of \$75,000.00?

Mr. O'Connor:

Right.

The Chair:

Okay, is that a formal amendment?

Mr. O'Connor:

Yes, a formal amendment everyone has it in writing.

The Chair:

Is there a second?

Mr. Cohen:

Second for discussion.

The Chair:

Second for discussion. Is there any discussion on the amendment? Roll call vote on the amendment. Unreadiness on the amendment, is there discussion or no discussion? Mr. Cusick.

Mr. Cusick:

I'd like to know what we're voting on?

The Chair:

Excuse me. Mr. O'Connor has made a reasonable amendment which suggest that we not take \$75,000.00 out of the Community Enrichment Program, which I think, everybody supported, and rather we take it out of the Picket Fence Program, because there is unexpended, presumably, unexpended dollars there. I believe, that's the gist of the amendment.

Mr. O'Connor:

It's really keeping the Community Enrichment money there and it's not harming the playground amendment.

AYES:

Mr. Cohen

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Ferlo

ABSTAIN:

Mr. Cusick

AYES: 7

NOES: 0

ABSTAIN: 1

The Chair:

Councilman Onorato.

Mr. Onorato:

Just a final comment on the bill related to parks.

The Chair:

Okay, the Amendment is approved.

Mr. Onorato:

I want to make it clear with the COP Program I did say there were two options. The one we would have to hire more officers and you heard Councilman O'Connor's numbers. There was 1,240 and now it's down to 1,148 and he's right, you'd have to hire almost 100 officers. But, there was a second option. That was to petition HUD to lower the threshold, which was never tried. And, I'm just saying I would do that and let the least get rejected if we can't

lower it. Because, if we do re-petition and win, you wouldn't have to hire any additional. You could use the money immediately. That was never tried and I'm saying that's what we should do.

The Chair:

Now, on the bills themselves as amended any other discussion? Councilman Cusick.

Mr. Cusick:

First of all, I want to go on record as saying I do support the bill. But, I want it to be very clear to the Administration and I applaud the Mayor for wanting to fix up some fifty-five playgrounds. unfortunately, my district does not have any CD eligible areas, the Carrick, the Beechview, the Brookline areas are not CD eligible. I would hope the Administration is looking to find bond money to continue some of the work that has been going on in the district in regards to playgrounds. But, to even go one step further, I think, that we need to find more bond money to do other projects in non-CD eligible areas. And, I hope the Administration would do that or look into that and realize that South Hills mainly in my district might -- the total district is not CD eligible.

Again, I applaud the Administration for wanting to fix up the parks, but also realize that some areas are not CD eligible and that we need to find bond money so that our parks too can be taken care of. There are several parks in the Beechview area that I can take off the top of my head that are in such disarray and need — I mean, they're just lawsuits waiting to happen. So, I think, we need to take this one step further

and find bond monies for playgrounds such as in my district.

The Chair:

Thank you. I think, his point is well taken. We got into a little bit of discussion on that. And, obviously, I'm voting in favor of this, because the Administration is not just looking at bricks and mortar with the Block Grant dollars. We're using the dollars for something very important and that's playground improvements, at least, in CD neighborhoods. But, in voting for this, this in no way precludes or diminishes both the Administration's and this Council's responsibility to playgrounds in non-CD neighborhoods. And, I'm making it clear. The McCandless area, which is already up to bid right now and Leslie, are going to be There is a commitment by the done. Mayor. That's in the Lawrenceville 9th and 10th Wards. They are non-CD areas. I agree that much of the area that you represent is non-CD, but every one of us has portions or large portions of our neighborhoods. I represent a Council District, Highland Park, Morningside, Lawrenceville, parts of Stanton Heights that are non-CD eligible and there's no way this Administration is going to turn its back nor do I think they are, because they've been very helpful in getting a number of the playgrounds done in my Council District. So, please let's be mindful that these CD dollars do not preclude or in any way diminish the obligations of this Council and the Administration to use bond funds, as you state, to do other playgrounds that are not initially in the Federal low and moderate income neighborhoods. And, we have to be vigilant about both activities, especially, in light of the audit report that was done.

Mr. Cusick:

Mr. President, I agree with you wholeheartedly.

The Chair:

We built our own playground in Highland Park and we're still owed a debit of about two hundred grand.

Mr. Cusick:

I guess, the frustration I have in the residents of my district or the South Hills area is we continue to see things happen and each and everytime they happen the same answer is given, that this is CD dollars. Well, that becomes very frustrating when you're not CD eligible and you cannot benefit from those dollars. So, in thinking that I think the Administration has to put and set aside more dollars for areas such as the South Hills, because we are not able to reap from the benefits of CD dollars.

The Chair:

Thank you very much. Any other discussion? Councilman O'Connor, closing comments.

Mr. O'Connor:

Closing comments, I want to make it clear there's about forty some thousand in this money that Council approved in the spring from Greenfield, the Greenfield Organization that we have encumbered over the last couple of years and I'm glad to see that it's supported, but there were some questions about where we're going to do courts in Buthammer Field (phonetic) and lower Greenfield and some money for Greenfield Terrace Senior Apartments. It's

in this bill. It has been delayed, so that the people of Greenfield know it still is coming so I'm, certainly, glad to see it happen.

And, my last comment, I will support the playgrounds, because I think, it's a good initiative and very important. But, I want to make it clear I agree with Councilman Onorato that I think the police have a priority, but it's quite obvious we're down 130 officers. They won't be used and that this Administration is not going to hire that many officers. So, instead of the money sitting there I, certainly, as a second choice would like to support this program. But, I'm only doing it with the reservations that we're down 130 cops and they're not going to hire them anyhow.

The Chair:

Thank you very much. Final comment, Councilman Cohen.

Mr. Cohen:

I'll be brief, Mr. President. But, I do think that it's in order to thank some individuals for putting together that playground audit and hazard analysis. If you haven't looked through it, please do, because it really is a very, very professional job done by the Department of Engineering and Construction and by the Department of Public Works, particularly, Mr. Tom Olivo, who spent -- I think, all of you know him, because he has worked on playgrounds in all of our neighborhoods and he was the one who really pulled together that audit and hazard analysis and, I think, he deserves particular commendation. That is what really launched this whole funding initiative to really invest in playgrounds. I wanted to thank him.

The Chair:

Thank you. And, just on that note, I personally responded to the request for Employee of the Year commendations recognizing the Mayor was going to have some kind of a dinner and, I think, maybe collectively we should note that Council, in particular, would like to highlight Mr. Tom Olivo's contribution of work in the Engineering and Department of Construction on playground renovations; we have safety you name it. I hope that I can send it on behalf of all of our colleagues for recognition to this gentleman. Thank you.

A roll call vote on the vote. If you're in favor please vote, aye; if you're opposed vote, no. Clerk, please call the roll

AYES.

Mr. Cohen

Mr. Cusick

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor Mr. Ricciardi

Mr. Ferlo, Pres't.

Mr. Onorato:

No, on all bills relating to the COP funding; aye, on the remaining bills, because there's about twelve or fifteen bills and instead of reading them all. All the companion bills relating to the parks, no, and the COP, no. Everything else, aye.

AYES: 7

NOES: 0

The Clerk:

Ayes 7, noes none on all bills except those that deal with the CD reprogramming for parks, ayes 6, noes 1; 7 ayes, noes 1, sorry.

The Chair:

Thank you and please note -- please make sure we amend the particular Council bill on the Community Enrichment line item. Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Councilman Cohen. We have three negative recommendations. These are the bills that have been introduced by Councilman Hertzberg, Bill 1081, 1082 and 1083 and I would ask that they be read first and we have discussion. Actually, it's all the three bills. They have a negative recommendation.

MR. COHEN PRESENTED:

No. 1081. An Ordinance supplementing the Pittsburgh Code, Title One - Administrative by adding Chapter 160: Investigations of Police Conduct, Section 160.01 Request to other Law Enforcement Agency.

Also.

No. 1082. An Ordinance supplementing the Pittsburgh Code, Title One - Administrative by adding Chapter 160: Investigations of Police Conduct, Section 160.02 Internal Investigations Staffing.

Also,

No. 1083. An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article V: Discrimination, Chapter 659: Unlawful Practices, by adding 659.07 Unlawful Civil Rights Practices.

The Chair:

Now, if there is no objection recognizing that there may be some amendments, I'd like to suggest we take each bill separately by vote and/or amendment. I'd like to call on Councilman Hertzberg first who, I believe, has possibly some amendments. On Bill 1081, okay.

Mr. Hertzberg:

We'll eliminate the 1081 at this time, then, Mr. President.

The Chair:

Okay.

Mr. Hertzberg:

Which is fine with me, because they are separate issues. Bill No. 1081 is entitled. Request Other Law Enforcement Agency. This is the legislation that would require our Director of the Department of Public Safety to make a request to another law enforcement agency to supervise an investigation when there has been a discharge of a firearm by a City police officer resulting in an injury to another person.

After the discussion at the table last Wednesday on this bill, a number of things

became clearer to me, some amendments, and you have the amendment that I'm proposing in front of you. One of the items is to insert the word immediately. Mr. President, you've several times apparently run clear with the intent of this. Hopefully, the word immediately will make it clearer that the intention here is, this is an immediate investigation and not one which might ordinarily occur, in any event, if something is overseen through a Coroner's inquest or something of that nature.

The Chair:

Does everyone have the amendment on the table?

Mr. Cohen:

Yes.

The Chair:

Thank you.

Mr. Hertzberg:

The other area that -- another area that was brought up was there was an if provision in here. If the City wishes to have an investigation and Assistant Chief Moffatt informed us that there really is no if that this is going to happen under any circumstances. So, that language has been deleted. It also is clear from Assistant Chief Moffatt that at this time the Allegheny County District Attorney's Office does not really have the level of investigations required to supervise, at least, in a situation of a death this kind of investigation. And, although, taking the District Attorney's Office out of here does not preclude usage of them it's, at least, not specifically enumerating them as is the case

with the County Police and the State Police. I'll make a motion to amend formally.

The Chair:

Is there a second?

Mr. Cohen:

Second.

The Chair:

Seconded discussion. All in favor? The amendment is passed. Now, on the bill as amended Bill 1081 discussion. No other discussion, Councilman McDonald.

Ms. McDonald:

Comments brought forward, please.

Mr. Onorato:

Comments brought forward.

The Chair:

Thank you.

Mr. Hertzberg:

Mr. President, my comments on all the bills, all these three bills that I sponsored brought forward.

The Chair:

Very good. By the way, please be mindful of the Jim Ferlo paper reduction act of 1996 where not bringing comments forward, but putting a caveat in the minutes that you can refer back to the printed statement for comments brought forward.

Councilman Cohen? Any other discussion? Roll call vote on Bill 1081.

AYES:

NOES:

Mr. Cusick

Mr. Cohen Mr. Onorato

Mr. Hertzberg Ms. McDonald

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 6

NOES: 2

The Chair:

Bill 1081 has received the legally required number of votes and has been approved. On Bill 1082, which has been read, Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. There are no amendments proposed to this bill. This is the bill that would set a specific staffing composition for our Office of Municipal Investigations requiring that, at least, half of those employees be civilians.

The Chair:

Did we clear the issue about investigations versus clerical staff at our Wednesday meeting?

Mr. Hertzberg:

Well, I know the current level is half and half, although, it's not half investigators, Mr. President. And, I realize the reality of the situation is why I'm not suggesting an amendment here. The reality is we could pass anything that we wanted

here and, ultimately, the staffing will not change. And, I know the Mayor's Office is supportive of, at least, this criteria, the current scenario so, at least, we will have it preserved for posterity.

The Chair:

I believe, that Mr. Quaid did comment and stipulate at the Wednesday session that in instances that there may be a police incident, some of the non-police investigators would also be assigned to the particular case. Councilwoman McDonald, then, Mr. Udin.

Ms. McDonald:

Yes, I would just like to have my comments brought forward. I appreciate the spirit of this legislation. It, basically, gets to the issue at hand is that civilians need to be trained as investigators and it doesn't need to be so lopsided in terms of police policing police. But, I have to vote. no, on this legislation for one simple reason, I don't think it goes far enough. I've asked for, at least, two-thirds or even more to be civilians. I believe, it needs to be more lopsided in terms of civilians than police. But, I do agree with the spirit of this legislation, which is, is to mandate that there be, at least, more than what we have now civilian representation. Thank you.

The Chair:

Councilman Udin, then, Councilman Cohen.

Mr. Udin:

Yes, I think, that I can support the intention of, I think, that lies behind Councilman Hertzberg's efforts to

civilianize the process of review in police matters. However, the bill as it is written camouflages the fact that there are. kinds of internal potentially, two One is a departmental investigations. investigation that may be called for by any of the police brass. Another is an investigation that might result from a civilian citizen complaint and this bill does not provide for a civilian process, a citizens process of reviewing citizens' complaints. The problem is that this bill contains and speaks to the process of an investigation that is conducted by the Office of Municipal Investigations, which includes both civilian complaints and internal departmental investigations. I think, that it would be helpful to have a substantial civilian process, citizen process reviewing internal investigations. when it comes to citizen complaints, what is needed for the review of citizen complaints is citizen review. Because, it is the police themselves who are being reviewed as a result of citizen complaints. And, for that reason I think that the bill does more to confuse than to clarify the process of citizen review of citizen complaints, and therefore, I'll be voting, no, on it. Although, I think, the intention of citizen input is appreciated.

The Chair:

Thank you, Councilman.

Mr. Cohen:

Thank you, Mr. Chair. I also appreciate the spirit behind this legislation and the motivation behind this legislation, but I respectfully, disagree because I don't think it goes far enough either. I served on a committee to overview, oversee the

internal investigative unit called OMI. And, on that committee I really was able to find out exactly how OMI works. I think, that they've made some positive changes, but in my mind there's no reason why we can't have 100% civilian investigators. It would, certainly, help with the perception if not the reality that would restore confidence in this whole process. Frankly, police just should in my mind, should not be investigating police when it comes to abuse cases.

Now, if the argument against this is that civilians don't understand how the police force works, but I disagree with that in cases where you have law enforcement experts who are not police officers, but nevertheless, understand it. The person who comes to mind is David Quaid himself. David Quaid is a civilian and, yet, no one would say that he doesn't understand law enforcement. He spent many, many years in the FBI and, certainly, knows how police forces work and he, certainly, knows about law enforcement activities. So, I do believe that you can have 100% civilian investigators in OMI and on that issue I just, respectfully, disagree with my colleague.

The Chair:

Thank you, other discussion? I'm voting, no, on this bill, but I do concur. I appreciate both the sincerity and the spirit in which this bill is offered. But, unfortunately, I think it pretty much just restates the obvious in terms of what the current Administration, Mayor Murphy in particular, is committed to; that is, the OMI reorganization based on the Economy League study. The staffing, basically, is a mixed bag of both police uniformed personnel as well as civilians with Mr.

Quaid, in particular, being formally of the law enforcement profession and as the Director, I believe, he has an element of independence. So, in that spirit I have no problem with the bill, because I think, dissuades and lacks focus and takes attention away from the need for a Civilian Review Board.

And, hope springs eternal and I hope that Councilman Hertzberg will continue to struggle with that issue. So I'm going to respectfully vote, no, on this bill. Other discussion? Roll call vote on bill 1082.

AYES:

NOES:

Mr. Cusick

Mr. Cohen

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato Mr. Udin

Mr. Ricciardi

Mr. Ferlo.

Pres't.

AYES: 4

NOES: 5

The Chair:

The Bill 1082 is defeated and Councilman O'Connor wishes to register an, aye, vote on bill 1081 regarding the firearms review.

Now, moving to Bill 1083, which originally had a negative recommendation, Councilman Hertzberg.

Mr. Udin:

Point of order?

The Chair:

Yes.

Mr. Udin:

Did Councilman O'Connor change his vote on 1082?

The Chair:

No, 1081.

Mr. Udin:

1081, oh.

The Chair:

He was embellishing the record.

Mr. Hertzberg:

Mr. President.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Bill 1083 was the bill establishing in our Commission on Human Relations a new provision entitled, Unlawful Civil Rights Practices. It empowers the Human Relations Commission tο receive complaints and process in their normal fashion, complaints related to City of Pittsburgh police discrimination. And, we have received since the bill was introduced. a resolution from the Commission on Human Relations which says, and it's dated October 7, 1996. " The Commission supports the proposed legislation provided that...", and then, there are three provisions. The first two deal with the issue of when the Office of Municipal Investigations is involved and how that would effect the statute of limitations.

Last Wednesday the bill was amended to created a 180 day maximum hold period that OMI was involved. And, Director, Charles Morrison has informed me that, that amendment that has already been made addresses those two first points made by the Commission. The third point is budgetary. That is, that they, the Commission have the staffing and the necessarily the appropriate budget to be able to handle this new area. And, I've spoken with the Mayor. We had David Miller from the Mayor's Budget Office at the table last Wednesday and it appears that there will be full cooperation in that end. And, certainly, I will be fully cooperative with the Human Relations Commission and any other colleagues on Council to make sure that the Human Relations Commission is staffed and funded properly to be able to handle this new area.

I would also note, one of the issues raised in opposition, and I'm not even sure who raised it to the Human Relations Commission involvement here, was a potential long waiting period with the Human Relations Commission. And, if you were listening to what Mr. Morrison said at the table last Wednesday, I think, you would find out that, that criticism is very inaccurate. The average length of time that the Human Relations Commission takes to dispose of housing discrimination claims is employment three months and discrimination claims it's ten months. I think, if you were to go to another jurisdiction, even the Federal EEOC or the State equivalent, you'd find a much longer waiting period. And, if you would, of course, look at litigation in other jurisdictions the waits are much larger than

this. Although, complainants might not be pleased with things not happening in even a shorter time frame, I think, when we compare things the Human Relations Commission is moving in a rather prompt manner.

The Chair:

Thank you, Councilman. Other discussion? Councilman Ricciardi.

Mr. Ricciardi:

Thank you. Not on the bill itself, but on the amendment I'd like to put forward at this time. The amendment, colleagues, should be before you. I'd like to make a motion to amend, it would be Section D. I'd like to read it at this time. Mr. President. "If after a hearing the Commission finds that a Respondent has not engaged in or is not engaging in any unlawful civil rights practices as defined in this article, the Commission shall award attorney fees and costs to the prevailing Respondent if the Respondent proves that the complaint upon which the hearing was based was brought in bad faith." Motion to amend for discussion.

Mr. Onorato:

Second for discussion.

The Chair:

Second for discussion, Councilman Ricciardi.

Mr. Ricciardi:

Colleagues, the amendment before you is self-explanatory. It's very clear, to make a charge against a police officer or any City employee is a very serious charge and allegation and a very serious event. That is, that it should be very thoughtful. It should be a thoughtful approach and it should be based on substance. This particular amendment will be brought forward in the legislation. And before anyone makes a charge against a City employee they would have to be based on fact and not on one just for embarrassing someone or just tieing up the system. So, I put the amendment before us today.

The Chair:

Discussion on the amendment?
Councilman Hertzberg, then,
Councilwoman McDonald.

Mr. Hertzberg:

Thank you, Mr. President. I note that the housing discrimination provision in the current code of the Human Relations Commission contains a similar provision. are similar provisions throughout Federal and State law, that if someone is commencing litigation in bad faith, that the penalty, the potential penalty for that would be having attorney fees assessed against them. As if they would make a complaint for other than the fact that legitimately what they say happened, happened. If they're trying to promote something else or do something else illegitimate, then, they run the risk of having attorney fees assessed against them. And, it's in our Human Relations Code already relative to housing discrimination, so it's not an unusual provision. supportive of the amendment.

The Chair:

Other discussion? Councilwoman McDonald.

Ms. McDonald:

I can understand, technically, the provision is to make sure that we don't have frivolous complaints to protect individual, whether it be a City employee or other against frivolous complaints. concern, though, is that this provision would, I guess, impede a person -- possibly, impede a person filing a complaint with the, I guess, negative feeling that if I don't win they're going to come back and sue me. So, I'm not going to file at all. I'm not even going to be bothered, because I'll just let this one go and, then, allow the perpetration of continuation of something wrong in the system, because they were too frightened or scared off because of legal and financial ramifications back to them if they did file and they did lose. And, let's face it, most people in the past that have filed complaints have lost. They have -- it has been unfounded or not sustained. And, you know doggone well after time, and time, and time, and time again, particularly, after some police officers, guess what? There was something there and the City failed to find that.

Now, the only reason I can even go along with this is because it's just -- it's there anyway. Anyone is allowed, especially, after they have prevailed, to go back and sue the parties that filed a complaint or sued them. It is done in court and as I talked to Councilman Hertzberg about this, there is a provision already in the Human Relations Commission Charter that allows for a frivolous complaint or respondent that was terribly unfounded, you know, that there would be some type of

remedy for the person who the charge was filed against if it was frivolous.

But, again, I have to say on record my concern is, is that this would impede a person filing a complaint for fear that if they lost. And, if that person felt it was frivolous, the person the charge was filed against, if they felt it was frivolous or their attorney felt it was frivolous, if they would come back and, basically, gain monies off of the very person that could have been right.

Councilman Hertzberg did respond to that in terms of the rate at which this is done. That it is rarely done. I would just ask for you to say exactly what you told me.

Mr. Hertzberg:

The provision here, the one that's already in the Human Relations Code under housing discrimination has been used rarely if at all. The provision says after a hearing and it's a Commission finding. So that, in cases where --

The Chair:

The burden of proof is on the respondent to prove to the Commission that there was bad faith in the filing of that initial complaint?

Mr. Hertzberg:

That's right, Mr. President.

The Chair:

And, then, the Commission must decide if there was, indeed, bad faith?

Mr. Hertzberg:

After a hearing.

The Chair:

Thank you. Councilman Ricciardi, then, Mr. Udin.

Mr. Ricciardi:

I appreciate and I understand the concern of Councilwoman McDonald, but just to clarify the discussion that it does state, Councilwoman, that it had to be brought in bad faith. It has nothing with winning or losing. So, we have to put that aside. Obviously, if a person filing the complaint has a feeling that he or she could lose, that doesn't enter into this amendment at all.

This is according to the information that I was able to gather today. That very few times it was even brought up that it was brought in bad faith. According to the information that I gathered, since 1990, the Commission has never ruled that an allegation under the housing section was brought in bad faith. So, I think, that should give you some sort of level of comfort in voting for this today.

The Chair:

Other discussion?

Mr. Ricciardi:

If I could just finish. I don't think it will impede anyone, Councilwoman McDonald, but I think it's going to force, actually force someone to say is this true? Do I have a feeling? Did it occur? And, set aside any feelings of emotionalism just to

bring something forward. So, with all due respect, I'd like to take issue with the word impede. Thank you.

The Chair:

I was going to be supportive of this bill based on concerns last week that, I think, have been addressed by Councilman Hertzberg. I'm a little reticent now because of this amendment, which I support the spirit of it, but I want to understand the impact.

Unlike an individual filing a complaint who is not represented by legal counsel, by the Solicitor of the City of Pittsburgh, I would presume that if a personnel at the City or an officer is brought before the Commission, that the Solicitor would represent them in that manner. Is that, maybe — if we could get a clarification.

Mr. Ricciardi:

In all likelihood, Mr. Ferlo, the way I understand it and from my discussions with police officers, the Solicitor would not represent the police officer at the Who would represent the Commission. police officer at that time, as you know, we have a certain fund; would be their own attorneys if they wished one. From the information I've gathered from police officers, they would welcome the support of the Solicitor, but they themselves would make sure they had a comfort level in having their own police counsel either through the FOP or through their own personal dollars.

But, keep in mind again, Mr. Ferlo, that this is also under the housing section. I mean, it's in the legislation now under the

housing component of the HRC Regulations. And, this might be a wash, because I'm not going to support the legislation without this. So, and I hear that you might support --

The Chair:

Do you have the other language from the housing section here at all or is it just in the Code? Is it verbatim in terms of this amendment. Councilman?

Mr. Ricciardi:

The difference, colleagues, is the word may and shall. I have in there this Commission shall award attorney fees and the other component that the Commission uses, the Commission may award. mine is much stronger language saving that if someone comes before and attempts to in any way taint the reputation of a City employee such as for police officers, the way understand this legislation coming forward; so if someone taints the reputation in bad faith and through a frivolous suit of any City employee, that they should pick up the attorney fees. Because, these complaints cost dollars and if someone should have to go into their own bank account to support or to defend their own reputation by someone who brought a frivolous suit.

The Chair:

But, again, your point is that the burden of proof is still on the respondent to prove or to demonstrate to the Commission or the hearing panel that there was bad faith? Whatever that means.

Mr. Ricciardi:

That ending two lines comes directly from the component that is in there now under the housing component of the HRC Regulations.

The Chair:

Any other discussion?

Ms. McDonald:

On the bill?

The Chair:

No, we're just on the amendment; on Mr. Ricciardi's amendment. No other discussion on the amendment? Roll call vote on the amendment.

AYES:

Mr Cohen

Mr. Cusick

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 9

NOES: 0

The Chair:

Now, further discussion on the bill.

Are there any other amendments?

Councilman Udin.

Mr. Udin:

No amendments, discussion.

The Chair:

No amendments on the bill itself as amended. Councilman Udin.

Mr. Udin:

I will be voting, no, on this bill, Mr. President. The reason is because. I think. that the Administration has made it clear that they intend to provide for this nondiscrimination activity at the expense of other current ongoing activity. The Human Relations Commission has already testified as they have for a number of years, that they are under staffed and they don't have enough resources to take care of the caseload that they currently have. Now we're giving them an additional caseload. There is no legislation that I see before me, unless I'm missing something. If I am, Mr. Hertzberg, please correct me. Is there some companion legislation provided financial support for this?

Mr. Hertzberg:

Not at this stage. You're the Chairman of Finance. You would know.

Mr. Udin:

Thank you. So, it's like an unfunded mandate to the Human Relations Commission to add another level of responsibility without any resources to pay for it. The Administration said they were going to reorganize the current staff, which is already short. Which means that the housing complaints and employment discrimination complaints will suffer even further.

Secondly, I think that this bill puts, and we should recognize it, puts the burden of proof on the person bringing the

allegation and, I think, that the whole role of the Human Relations Commission with regard to -- I do support, however, the intention of providing for some aspects of non-discrimination by City employees including the Police Department. But, I think that that ought to be an issue that is brought before civilian а process independent of the City and such as a Civilian Review Board and I'm afraid that this bill, again, will confuse the public into thinking that it somehow provides for the issues that have been brought forward with the Civilian Review Board discussion. Which it does not. Most of the issues brought forward by civilian complaints are not necessarily specific discrimination or gender discrimination. It has to do with the inappropriate abusive conduct of certain police officers. And, this will not address those issues. So, for those reasons, Mr. President, I'll be voting, no, on Bill 1083.

The Chair:

Councilman Onorato.

Mr. Onorato:

I'll be voting, no, also for entirely different reasons. One, my fear is the bill is and could create, passes another layer of bureaucracy that we will have to fund eventually at a time when we don't have any money. I stated in the last three budget processes in the last three years that I still can't understand why the State Human Relations Commission has a Western Pennsylvania Office and we have our own office. I think, this is an appropriate function for the State's office and that's where these complaints should be handled. I don't want to create a situation where we're going to be forced to fund and

increase our own Human Relations Commission where I see it as a duplication of services in this region, because we have a HRC that the State funds for Western Pennsylvania. And, for those reasons I'll be voting, no. Thank you.

The Chair:

I voted in opposition of the bill last week, but I've changed my tune and did a lot more research. And, although, I concur with Councilman Udin's spirit of his comment and I, actually, agree with him 100% I'm supporting this bill on what I would characterize as more of a tactile level. And, that is, I believe in the end we won't gain majority vote this time for civilian bill, I do not believe that this bill is a threat and even as amended is contradistinction from the need or the desirability of also having a Civilian Review Board. I do not see them in conflict. I see this as codifying into law a very specific antidiscrimination provision as it relates to police conduct alleged or otherwise relative to misconduct dealing with the citizenry.

I think, we need to call the Administration to task and that if they are, indeed, supporting this bill that, I think, also as Councilman Udin pointed out, need to support the financial administrative resources that the Commission will need both at the staff level and at hearing review level later on this fall during the budget deliberations.

I'm supporting this bill. I think, it's short of the need for civilian review as I hope at some point this Council will approve. If this Council doesn't approve it I hope it will be a political issue in the next Mayor's race. I hope it will also be, possibly, a Home Rule Charter amendment

and we'll cross that bridge later on this year. It's not going to go away.

But, this bill to me provides an opportunity to codify into law an anti-discrimination and contact provision as it relates to police personnel dealing with the citizenry. It also provides an opportunity short of a civilian review and until we get civilian review, on a tactical level it provides an opportunity for residents to have an independent body, citizen based, non-police based in the government, local government that has a long track record of successfully and fairly dealing with employment, housing and other forms of discrimination.

So, for those reasons I'm going to support this bill as amended today. And, I'm certainly not going to give up the passion I have for the Civilian Review Board and I would ask that my colleagues supportive of the intent give consideration to this bill. And, at the same time, the majority of us need to in the next month and a half, need to hold the Mayor accountable. If he is sincere about this. then, he cannot at the same time be slashing the administrative budget of the Human Relations Commission, which I believe is the current proposal. And, I think, the majority of us need to restore and enhance the amount of available resources that the Commission needs in order to do their and also these added current iob responsibilities.

So, if we're voting for this in the affirmative I hope we're also going to come back and vote in the affirmative on giving the Commission administrative responsibilities. Councilman McDonald, then Councilman Cohen.

Ms. McDonald:

Yes, I will be voting in the affirmative for the very reasons that you had stated, Mr. President, is that it is a tactical move. Right now there are not five votes. Let's face it, let's cut to the chase. There are not five votes for a Civilian Review Board per Bill 397. In the meantime, what do we do? I think, we do need to keep pressing for a civilianized process to investigate complaints against Public Safety officials, particularly, police. But, in the meantime, we do have an entity. Let's just be clear. We have an entity that's already chartered, already legal and legislatively voted on years ago. It's called the Human Relations Commission. It's the Commission on Human Relations for the City of Pittsburgh. It has subpoena power. That was a concept that was brought up in 397. It is civilianized. There is only one law enforcement officer or one person that is even remotely affiliated with law enforcement on the Commission. Three, there

there is three out of how many, Alan?

Mr. Hertzberg:

There's over twenty.

Ms. McDonald:

Okay, three out of twenty. To me it meets my concern about it being more civilianized. Okay, whatever, it's more than two-thirds majority.

Mr. Hertzberg:

Fifteen, but they do have a hearing panel separate from the Commission.

Ms. McDonald:

They do have public hearings. That is another concept that was brought up. So, in light of all the elements that I would like to see in a civilianized process of investigating complaints, I do believe that the Commission is already set up except for one thing, no, they do not have enough resources. They do not have the staffing that they need to really work well with OMI on investigating police complaints in an objective unbiased, but fair manner. They're not funded. In fact, they are probably slated to be cut.

It is up to Council if, indeed, we have heard the cries of the community. And, every single -- each one of us, all nine of us heard those complaints from the community. All nine of us heard the pleas for something and to sit at this table and say you're going to vote nothing, nothing, nothing, to me that is very irresponsive to the very constituents and the community members that you serve. You sat there through all these hearings and you heard them. This is something. strengthens what we already have. It's not inventing anything new. It's only strengthening what we already have guys.

So. I am supportive of this because it is something. And, in the meantime, we can move forward. This legislative piece can be amended. The Charter can be amended. Councilman Ferlo had mentioned you can have an amendment to the Home Rule Charter. It can be a referendum. There are many ways to continue to battle. But, in the meantime, I don't want to go down in the fire. I want to give the community something and I do want to strengthen that. And, you can bet vour bottom dollar that I'm going to call everyone to task if this, indeed, passes.

Everyone will be called to task on budget time. If the Mayor doesn't put the money in and the resources, then, no different than the Disparity Study Commission, we have to put the money in and the resources. Then, no different than the Disparity Study Commission, we have to put the money where it is needed. And, you're not talking half a million dollars a year. You're talking maybe a couple million dollars to strengthen what should have been strengthened anyway.

And, I'm very familiar with a lot of the Commission members. They are very --I feel very comfortable going to them. But, to tell you the truth I feel comfortable going to OMI now. I have a lot of confidence in the new Manager, Dave Ouaid, and I do have confidence that we're moving in the direction of police reform. We will keep pushing for a Civilian Review Board process and I don't care what name you put on it. I really don't care. I just want something, but in the meantime, this is at least involving the elements that we were looking for in a civilianized process. It just strengthens OMI and I would hope that they would work together.

So, I will be supporting this, Councilman Hertzberg.

The Chair:

Councilman Cohen, then, back to Mr. Onorato.

Mr. Cohen:

Thank you, Mr. President. Since there has been this really citizen ground swell for reform in the way of police officers are disciplined in those rare, and I do say rare cases of police misconduct, there have been a lot of changes. There really have been a number of positive developments from my point of view. One is that, I believe, this Chief of Police has taken discipline far more seriously than past Chiefs of Police have and I commend him for that. I truly as Public Safety Chair working closely with him, I truly believe that he cares about discipline when it is necessary.

The internal investigative unit, OMI, has made changes and I in large part give the credit to Dave Quaid, the head of OMI. He now is having OMI make what are called credibility determinations where they never did before. In those cases where it's a police officer, citizen's word against a police officer's word, OMI now is looking more closely and saying, well, who is telling the truth here? They don't just throw it out immediately. That's a change. And also, as Mr. Ouaid said last Wednesday, he is not putting police investigators on high profile police misconduct cases. That's a step in the right direction. It's not as far as I would like to go, but a step in the right direction.

And finally, a new disciplinary code is being written. A disciplinary code is being written, I should say there isn't one now and Councilwoman Valerie McDonald and I are on that committee that was put together by the Chief of Police. So, there have been some positive developments.

What do I think the best way of restoring confidence in the system and providing for independence and objectivity is? I think, it's a Civilian Review Board. But, we have to be pragmatists here and realize that the votes are not there for a Civilian Review Board. And, even if the votes were there, I do think that the Human

Relations Commission, that this legislation would be just another -- another tool not just another and a significant tool in restoring confidence in the police force. And, the reason I say that is that for a number of the reasons that have just been said, but it is an independent board. commission rather, created by the Home Rule Charter. And, if you haven't had a chance lately to look at the Human Relations section of the Home Rule Charter, please do. This is truly an independent commission. It has subpoena power. It can subpoena witnesses. It can subpoena evidence. It does the ability to hold public hearings where witnesses are required to give testimony under oath and in the end it can provide for monetary fines, not discipline, but neither could the Civilian Review Board, recommendations discipline.

So, for those reasons I do support this bill. I do think that it is a -- could be a tool, yet another tool in providing independence and objectivity to the disciplinary system. But, I have to agree with my colleagues, the only way to do this is to provide them with the resources to truly do it right. We can't give them the power without the tools of exercising that power. And, I had asked for a commitment from Councilman Hertzberg and he has given it not to just me, but to other members saying that he would support increased funding for the Human Relations Commission in this budget process coming up so that we can give them tools as well as the power.

The Chair:

Councilman Onorato.

Mr. Onorato:

Yes, I was wondering if Councilman Hertzberg or anyone could answer the question, because I see where this is going. Does anyone have the current makeup of the HRC? How many members? How many African American male/female? How many White male/female? How many Asian? Do you have any idea? I have no clue. I'm asking a question.

The Chair:

The Commission is broadly representative of the City of Pittsburgh.

Mr. Onorato:

That's not an answer. I want to know how many members. Does anyone know?

Mr. Hertzberg:

My recollection is there are three law enforcement members; two City police and one University of Pittsburgh Police Officer. The racial gender, etcetera, I don't know the numbers.

Mr. Onorato:

Well, one thing I've heard from all the public hearings and discussions, I think, the makeup of the Board is very critical and I can't believe that a majority of us are going to vote to send this kind of power over to the Board when none of us know what the Board looks like

The Chair:

Well, we do know what the Board looks like.

Mr. Onorato:

Well, we don't have an answer. No one can tell me what it looks like. How do we know?

The Chair:

Do you want a specific number and breakdown?

Mr. Onorato:

Yes, I want a breakdown.

The Chair:

We'll be happy to get it for you.

Mr. Onorato:

I don't see how we can vote without having it.

The Chair:

I wasn't clear we were counting the racial characterizations and genders of each Commission member.

Mr. Onorato:

You mean to tell me, Mr. Ferlo, if this was all white males on this Board you wouldn't have a problem with it or if it was all African American males you wouldn't have a problem with it? I think, it's a legitimate question. I have no idea what this Board looks like. How long are their terms? Which ones are up next year? I mean, I'd like to have those kinds of questions answered. And, I'd like to also know what their employment is. Could we get that when they're sent over here, where

they work of all Board members? I understand you said there are fifteen, Mr. Hertzberg?

Mr. Hertzberg:

That's what Mr. Cohen said and I don't have the exact number. But, I don't see any need for this, Mr. President, at all. You know, we've approved --

The Chair:

At least, for him it is. I resent it.

Mr. Hertzberg:

I don't need it to vote.

Mr. Onorato:

You resent it. What's wrong with asking then? I resent the fact that you're resenting it, yet, when I sit here and hear why you want the Civilian Review Board and you staged those public hearings, half of them, that I've got to listen to some of those comments. I think, it's a legitimate question to know what that Board looks like. I have no idea and not one person here can tell us. That's a disgrace.

The Chair:

Councilman, it's not an all white Commission.

Mr. Onorato:

That's a disgrace. No one can tell us what that Board looks like. I can't believe that.

The Chair:

It's not an all white Commission.

Mr. Onorato:

Well, I know I can't win this, but I'm going to make a motion to re-commit until I have the information.

The Chair:

There's a motion to re-commit; is there a second? Further discussion on the bill as amended, Councilman Hertzberg.

Mr. Hertzberg:

A very brief response to a couple of things that were said. Regarding the Human Relations Commission and our choice on whether to fund it or not or whether to have the State intercede or Federal Government, that is as has been mentioned also, our Home Rule Charter contains a mandatory provision. As long as that is in there we have to have a Human Relations Commission. And, not only do we have to have one, but if you may recall, we also have a provision that requires us to have a City Controller and that provision has been tested before in our courts as to the funding level for the particular function to be accomplished that these different divisions are given. If the Human Relations Commission is not given the appropriate funding level to accomplish the goals that it has. then. the Human Relations Commission wouldn't be able to go to court as the Controller has done in the past. And, say, hey court the City is under an obligation to fund us by reason of the Charter. And, in the past, the Controller has been successful and the Human Relations Commission is aware of that and I hope all of Council will be aware of that now.

The Chair;

I need to clarify that further, because in the past this Council including myself has always acquiesced to the Mayor. I did that with Mayor Caliguiri, Mayor Masloff and now this Mayor, Mayor Murphy. We have, primarily, acquiesced in the formulation of the budget. acquiesced to the previous Mayors and this Mayor when they present the budget address and it has been pretty much an issue between the budget staff of the Mayor and the Commission staff. It is clear to me now that this Council needs to intervene in this relation to issue: what the administrative staff model needs to look like for the Commission. It needs to intervene even more in light of support for this resolution. So, I just want to clarify that. In voting for this today, we're all coming back, at least the majority of us, to say you know this isn't going to be a show If this is what we're saying the Commission is going to have the opportunity to do this, then, we want proper staffing levels.

Any other discussion? Councilman O'Connor.

Mr. O'Connor:

What is proper staffing? That's a good question. Now, if you went up to some groups it could be \$1 million as Councilman Udin brought up. I don't want to have an unfunded mandate, so maybe, we need something in writing that's reasonable and work with the State too. I'm sure we are doing some double duty.

The Chair:

I'm sure this is going to he a heated discussion during the budget deliberations. Any other discussion? Roll call vote on Bill 1083 as amended.

AYES:

NOES:

Mr. Cohen

Mr. Onorato

Mr. Cusick

Mr. Udin

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Ricciardi

Mr. Ferlo, Pres't.

AYES: 7

NOES: 2

The Chair:

The bill having received the legally required number of votes as amended is approved. Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

We have a post agenda meeting cablecast this afternoon at 2:00 p.m. to hear a report from the Pension Board and the Administration regarding the pension situation.

MR. O'CONNOR PRESENTED:

No. 1120. Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or Contract or Contracts, or use of existing Contracts, for the rehabilitation of various playgrounds located in CD areas; providing for the purchase of equipment and materials for

said projects; and providing for the payment of the costs thereof, cost not to exceed \$2,952,579.50.

The Chair:

You've heard the reading and title of the bills; is there any discussion? Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote, aye, when your names are called. If you're opposed vote, no. Will the Clerk please call the roll?

AYES:

Mr. Cohen

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 8

NOES: 0

The Chair:

The bills having received the legally required number of votes have been approved finally. That concludes our reports of committees. Are there any matters to be brought under motions and resolutions. Councilman Ricciardi.

Mr. Ricciardi:

Thank you, Mr. President. I'll be short. I don't mean to be an obstructionist, but I realize there was a change in our meeting date tomorrow, which is Wednesday. Wednesday would have been our normal committee session. It was moved to Thursday. In substitution to that

there is a post agenda, so a few of my including colleagues yourself, President, was able to bring in some guests. I'm not going to take great issue at it, because I realize you probably invited your I'm sure it has already been guests. advertised to change, but I respectfully, request that this does not happen in the future without a vote of this body changing either our legislative or committee session meeting. So, hopefully, in the future if that's going to occur as we've done in the past I would hope that we come before this body for a vote of five or do it in our hallway. Any objection to that?

The Chair:

I have no objection. The only problem, let's be fair now in the minority at least on this vote. We were trying to get a vote and resolve the issue to the Civilian Review Board this week. Since it was clear that there would be disagreement with the ability of guests to come to the table during regular Wednesday Standing the Committee Meeting, the only opportunity we had to have these guests speak to Council in public forum was the issue of a post agenda. As far as the days, we wanted that to precede the day of the actual preliminary vote and debate on civilian review. I apologize for that. It won't happen again, but we will try to resolve the guests issue, noting that some colleagues could object at the table and we'll try to get this over and resolve it this week so we can move ahead on the budget and a lot of other issues.

Mr. Ricciardi:

And, respectfully, I understand that logic and I would have supported that, but you have to realize when you make that

kind of change you also infringe on our schedules and we also had things planned or I had something planned.

Again, I'm not an obstructionist. I'm not asking you to change the call, but in the future I really think that should be brought before the body.

The Chair:

Your criticism is noted. We apologize and we will try to resolve those kinds of issues in the future.

Mr. Ricciardi:

Thank you.

The Chair:

Thank you very much, but I hope you will be able to attend the session tomorrow. Any other discussion? Hearing none, this Legislative Session stands adjourned. Thank you very much.

Council adjourned.

ADDENDUM

- Councilman Onorato comments -on Bill No. 1059 and 1060 can be found in the Standing Committees Meeting minutes of October 9, 1996
- Councilman O'Connor comments -on Bill No. 917 can be found in the Standing Committees Meeting minutes of October 9, 1996.
- Councilman Hertzberg comments -on Bill No. 1081, 1082 and 1083 can be found in the Standing Committees Meeting minutes of October 9, 1996
- Councilwoman McDonald and Councilman Onorato comments -on Bill No. 1081 can be found in the Standing Committees Meeting minutes of October 9, 1996.

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R.MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, October 22, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Good morning, everyone. City Council Legislative Session will now commence. We have a quorum present and at this time I would ask that you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We have a family group here this morning. The two twins are Kathleen and

Rebecca Lynch and their mom is here, Gerry Lynch. They go to Friendship School Kindergarten and they're going to lead us in the Pledge of Allegiance and they're both five years old and they're from Councilman Cohen's district. So, we'll have the Lynch Family. Thank you; thank you very much.

I want to thank Kathleen and Rebecca and also their brother, David Lynch is here also who helped out. He was kind of in the choir stand there. I want to thank you all for coming down here today and our Clerk has presented you with the flag of our great nation, the flag of our City.

We have a number of outstanding guests in the audience today and at this time I'd like to move the agenda quickly along and call on Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. Good morning, everyone. Would Dr. Barbara Shore and Jack Shore and Rev. Federman come up here, please? Members of Council, members of the audience, it's my pleasure this morning to introduce this proclamation for the Interfaith Volunteer Caregivers. And, this organization we have honored before and many of you may know it provides older adults with many services to really allow them to remain independent and also to have more accessibility to the community. At the same time, we're also here to honor someone who has been a tremendous leader in our community and that is Dr. Barbara Shore, because tomorrow night, Barbara Shore is being honored by the Interfaith Volunteer Caregivers as their Honoree of the Year and it was such a apt choice. Because, as many of you in this room know, Barbara Shore has been a tremendous leader, both at the University of Pittsburgh and for progressive causes around the City of Pittsburgh and around the region.

She has been the immediate past President of Interfaith Volunteer Caregivers. Also, directed the Doctoral Program at the University of Pittsburgh School of Social Work. She served three times as President of the University Senate. She chaired the 1987 Task Force for studying Children and Youth Services: was a founding member of both Pursat Center (phonetic), which this City Council supports and also the Center for Victims of Violent Crime. I could go on and on, but let's put it this way that Barbara Shore has been one of the finest leaders of progressive causes in the City of Pittsburgh. So with that, I'd like to read this proclamation.

MR. COHEN PRESENTED:

No. 1185. WHEREAS, the Interfaith Volunteer Caregivers, established in March 1991 with a grant from the Jewish Healthcare Foundation, is a network of churches and synagogues which mobilize, recruit and train volunteers to assist older adults; and

WHEREAS, the Interfaith Volunteer Caregivers is a non-profit organization that provides older adults with companionship, shopping escorting and a variety of other services which will improve their access to their community and enable

them to remain independent and in their own homes; and

WHEREAS, the Interfaith Volunteer Program, which exists in 600 other communities throughout the nation, works closely with other community groups and social service agencies and is affiliated with sixteen different congregations in the City of Pittsburgh; and

WHEREAS, on October 23, 1996; the Interfaith Volunteer Caregivers will formally recognize and honor Barbara K. Shore, Ph.D., ACSW, MPH for her leadership of Interfaith Volunteer Caregivers as an Executive Committee Member since 1991 and President from 1993 to 1996 as well as her extensive academic accomplishments and her deep religious convictions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Interfaith Volunteer Caregivers for its contribution and dedication to improving the lives of senior citizens in the City; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares Wednesday, October 23, 1996 to be Barbara K. shore Day in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution

MS. McDONALD seconded the motion.

Which motion prevailed.

Mr. Cohen:

Well, how should we do this; should we have Rev. Federman come up and present it to Barbara Shore? Let's do that. We have Rev. Donna Federman, who is the Executive Director of the Interfaith Volunteer Caregivers. And, Reverend, if you could say a few words and, then, we'll present this to Barbara Shore. And, by the way, Barbara's husband, Jack Shore, is here as well

Rev. Federman:

Thank you. It's a great honor and privilege to be here today to bring recognition to our agency, Interfaith Volunteer Caregivers. It does seek to serve older residents of the City of Pittsburgh by using volunteers through religious congregations.

It's a special honor for me personally as Executive Director to present this proclamation to Dr. Barbara Shore for her years of service to our agency, where she has been with us since its inception. And also, to recognize her vast contributions to the academic, human service and religious communities of this city.

Barbara, for all you've done for IVC and for the support you've given me personally, I present this to you with the deepest gratitude. Thank you.

Dr. Shore:

Thank you all so much. I think, that it is the deepest honor that one can receive to give service in a way that, hopefully, improves the quality of life for all of the citizens of our city and our area and at the same time to get thanks and recognition for it. That's an extra gift over and beyond the

gift of being able to help in every way possible. Certainly, we know that when we volunteer we get back a thousand fold whatever energies and time and concerns we put into that volunteer and this is one of the evidences of that. Particularly true in Pittsburgh where we have such a high percentage of aging persons that we all must work together to build the fabric of our communities; to strengthen that fabric; to bring all of the groups together we can with the full inclusiveness that is, I think, very important in not only the life of our community, but the life of this nation.

And so, it has been my honor and my pleasure to be able to be part of such an activity. I encourage all of you to join as many of you have in the activities to improve the quality of life for older people in our community and for all people in the community. And, I thank you very, very much.

The Chair:

Thank you. Congratulations on a well deserved award. And, I believe, Councilman Cohen and Councilwoman McDonald have a joint proclamation.

Ms. McDonald:

Would representatives/owners of The Factory of Point Breeze, please come forward? I'm going to read the resolution and, then, I'm going to introduce some of the members of The Factory. The owners of The Factory — how many owners are there? There are six owners. Two of the six owners came.

MS. McDONALD PRESENTED:

No. 1186. WHEREAS, on Sunday, October 20, 1995 The Factory will celebrate 10 years of success and growth. The festivities will include guided tours, live entertainment, participatory activities and various demonstrations; and

WHEREAS, since 1986 when The Factory first opened, 15 separate businesses have moved into the 61,000 square foot building. The Factory has turned a former industrial building into a family fun and fitness center. This enclosed, indoor mall is geared directly towards children; and

WHEREAS, co-owners Elliot Shaft and Ed Swerdlow have developed a business that meets the needs of parents, as well as children. The Factory offers a variety of activities ranging from gymnastics, indoor skating, batting cages and rock climbing to a bookstore and a computer learning center; and

WHEREAS, The Factory deserves recognition for providing Pittsburgh with quality facilities for the entire family.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends The Factory on its 10 year anniversary of excellent service to the community and we wish them even greater success in the future.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Ms. McDonald:

I was very happy to hear that it has been a decade. It doesn't seem like it has been that long. It still seems The Factory is so young, because it's still growing. We always see new initiatives, a lot of kids. I'm co-sponsoring this with Councilman Dan Cohen, who I'd like to say a few words. because even though, The Factory geographically is located within my Council District 9, many of the children who go to The Factory for whatever activity, many of them come from Dan Cohen's district. So, we worked together on this and I just stopped in just very briefly on Sunday and saw a lot of the young men: what do you call it? In line skating. It's serious stuff there. You ought to go by just to see them. I'm not going to call them suicidal, but let's say they really have a lot of backbone to do what they do.

And also, I have a little bit of affinity towards the fact that because my daughter attended Gym Conna (phonetic) for four years and she does miss it. So, I want to present this resolution and ask Councilman Cohen and, then, I'd ask -- we have Elliot Shaft and Ernie Pearl.

Mr. Cohen:

Thank you verv much. Councilwoman. Thanks for including me in this proclamation. I am just thrilled that The Factory has been so successful for ten years. It does serve, really, the entire East End and there are even people from outside the East End who go to The Factory. Even though, it is called Factory and it is an urban setting you'd never know it by going in there, because they actually have mountain climbing in there. They have in line skating. They've go so many things going on for children that it is just a tremendous, tremendous community asset.

That's really what it is. It's a community asset and I attend there fairly frequently, because Gym Conna there and also goes to Butter Fiddles. It's just a great recreational center for children. So, I want to add my congratulations on doing what we really need to do more of in Pittsburgh and; that is, to take buildings that used to be used for industrial purposes and turn them into a community asset. And, that's really what you have done and I want to congratulate you for it.

So, Elliot, why don't you come up here first and, then, Ernie.
Congratulations.

Mr. Shaft:

Thank you very much. We received a lot of support from City Council ten years ago when we had to do zoning changes and other things in order to get into the building and we appreciate the recognition now. Thank you.

Mr. Pearl:

As an owner and also as a tenant, what I think that Dan and Valerie and Elliot have both said is very apropos. I feel fortunate to be a tenant, because we are getting kids from the tri-state area and just delighted to be there. And, as Dan said, we should have more buildings like that utilized that way in the City of Pittsburgh. Thank you.

The Chair:

Councilman Onorato, I believe, a proclamation with Councilman Hertzberg.

Mr. Onorato:

Yes, with Councilman Hertzberg he's going to read it, Mr. President.

Mr. Hertzberg:

Okay, the Pittsburgh District Letter Carriers. I think, we have a number of individuals here. Would you come forward? For the Letter Carriers and this resolution is all about the Letter Carriers and all the different postal employees to honor them for their good public service. And, let me introduce everyone that is here and I hope I have it right. We have Michael Brose, Phil Myer, Tony Biwalski, Bill Greb, Rich Klein, Joanne Dorsch, Bob Shelbau, Larry Dinacola and Rennekamp. Is that everybody?

All right, let me read this resolution.

MR. HERTZBERG PRESENTED:

No. 1187. WHEREAS, Pittsburgh District Letter Carriers take great pride in the collection and delivery of the mail. Letter Carriers are active in community projects such as "carrier alert" where they keep a watchful eye on the senior citizens and disabled. "Carriers Caring for Children" is a program designed to make children aware that the letter carrier is a friend who can help in an emergency situation; and

WHEREAS, Mail Handlers are the unseen backbone of the Post Office. They work in factory like mail processing centers, unloading trucks, running machines that sort the sacks, canceling stamps to letters and moving mail to its proper stations. Last year, Mail Handlers moved 171 billion pieces of mail nationally and helped keep U.S. Postal Service the most

efficient and least expensive mail system in the world: and

WHEREAS, Rural Carriers deliver and collect all classes of mail in rural communities. They are often referred to as a post office on wheels, selling stamps, money orders and providing other postal services to the patrons on their routes; and

WHEREAS, Clerks process all the mail entering and leaving the Post Office and provide administrative support. Post Office clerks are often complimented for their friendliness and eagerness to provide prompt. knowledgeable and courteous service; and

WHEREAS, Postal Maintenance Personnel maintain all structures and processing equipment and provide a clean and safe environment for employees and customers alike; and

WHEREAS, Motor Vehicle Operators. Mechanics and Transportation Employees "keep the fleet on its feet" and transport the mail between postal facilities at all times of the day and night; and

WHEREAS, Postal Supervisors monitor the processing and delivery of mail to ensure quality service to Pittsburgh residents and surrounding counties. Administrative Office Supervisors provide a network of free services to the public and business community; and

WHEREAS, the Postal Police enforce postal service rules and regulations on postal property, and enforce laws enacted for the protection of persons and property. Postal Police respond to robberies and burglaries at post offices, various medical emergencies and provide

convoy and escort service for high-value equipment; and

WHEREAS, Postmasters are responsible for keeping customers and employees informed about postal issues and products. In many cases, Postmasters are the one and only connection customers have with federal government postmasters.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh gives recognition to employees of the U.S. Postal Service for their dedication to providing the highest quality of service to the residents of the City of Pittsburgh.

The Chair:

Motion to approve, motion seconded; all in favor? Unanimous.

Mr. Hertzberg:

Thank you, Mr. President and Members of Council. Is there a spokesperson from the Postal Service?

District Manager:

As the District Manager for the Postal District here in Pittsburgh, I'm real proud of the 9,500 employees that we have that do all those things that you heard about and I'm real thankful that the City Council has chosen to recognize them. They're a real asset to the community. They're involved in a lot of our community organizations and we're just real, real proud of the good work they do. So, thank you very much.

The Chair:

I believe, Councilman Hertzberg has one for the record.

MR. HERTZBERG PRESENTED:

No. 1188. WHEREAS, October 20 - 27, 1996 has been designated as "Housing Week" for the Pittsburgh Metropolitan region; and

WHEREAS, "Housing Week" will focus on quality housing and its contribution to our region; and

WHEREAS, 1996 marks the first year that the Builders Association of Metropolitan Pittsburgh (BAMP). REALTORS Association of Metropolitan Pittsburgh (RAMP), Remodelers Council at Apartment Association BAMP. Metropolitan Pittsburgh, Westmoreland County Home Builders Association. Institute of Real Estate Management, Women's Council at BAMP, and Urban Redevelopment Authority of Pittsburgh will band together to promote housing to consumers, local government officials, and the community.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends the Builders Association of Metropolitan Pittsburgh, REALTORS Association of Metropolitan Pittsburgh, Remodelers Council at BAMP, Apartment Association of Metropolitan Pittsburgh, Westmoreland County Home Builders Association, Institute of Real Estate Management, Women's Council at Redevelopment Urban BAMP. and Authority of Pittsburgh for instituting "Housing Week" and promoting the housing industry through industry professionals, advertising, the Consumer Handbook, the annual Housing Excellence Awards program, consumer service articles and meetings with local civic leaders.

The Chair:

Motion to approve; motion seconded. All in favor. Thank you, motion carries. Councilwoman McDonald, I believe, you have a number of guests in the audience.

We do want to acknowledge our District Justice, Ricky King, who is in the audience today. Good morning, Judge.

Ms. McDonald:

Would all representatives from Carlow Hill College come forward to receive a resolution. To receive a resolution we have with us today Dr. Veronica Morgan-Lee. We have a student, Darlene Wanamaker. Of course, most people do know Sister Grace Ann Geibel, who is President of Carlow College. Next, we have Sue Ratosik, who is the Director of the annual giving at Carlow College and Roseann Operman. Right? I'm getting pretty good at this; Alumni Relations and I'll read the resolution and, then, I'll ask for Sister Geibel to come forward and say a couple remarks.

MS. McDONALD PRESENTED:

No. 1189. WHEREAS, on Friday, October 25, 1995 Carlow Hill College will host the Anna Julia Cooper Scholarship luncheon. Cecile Springer is Chairwoman for the vent and Lynn Hayes-Freeland is the mistress of ceremonies. The Scholarship luncheon will be honored with Keynote speaker Paula A. Sneed, the Senior Vice President of Marketing Services for Kraft Foods, Inc.; and

WHEREAS, Carlow Hill College was founded in 1983 as a collaborative effort of the Sisters of Mercy, leaders of the Hill Community, Carlow College and Mercy Hospital. The program began in direct response to a request of the residents of the Hill community to have access to a college degree program; and

WHEREAS, Carlow Hill College is a scholarship based program that provides educational access to primarily African American woman who might otherwise not be able to achieve a college degree. The program has graduated 30 students who are now making meaningful contributions as professionals to the Pittsburgh region; and

WHEREAS, the Scholarship Luncheon is named for Anna Julia Cooper. She was born in the mid 1800's and throughout her life promoted opportunities for academic excellence for Black youth and founded clubs and groups dedicated to learning and culture for black women. On March 23, 1925 she became the fourth African American woman to earn a Ph.D from Columbia University. Anna Julia Cooper was known as an inspiring lecturer and teacher. She is a most fitting "lamplighter" for the vision to create Carlow Hill College.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Carlow Hill College for its invaluable service to the community and joins the school in commemorating Anna Julia Cooper during the Scholarship Luncheon

The Chair:

Motion to approve moved and seconded; all in favor? Motion carries.

Ms. McDonald:

I'm very pleased to see — I visited Carlow Hill College, when was it last year? Or just a few months ago for a meeting. And, it was really my first time realizing that it was there. So, I'm Dr. Morgan-Lee will talk a little bit more about the location and opportunities, but in the meantime, I will present the resolution to Carlow College itself. And, Sister Geibel, if you could please come forward. Congratulations.

Sister Geibel:

Thank you so much. Since 1983 Carlow College has been enriched with its commitment, the very special commitment to the many outstanding people of the Hill District community. And in turn, as our graduates from the Hill College go forward to take their places as leaders in this Pittsburgh region, Pittsburgh is enriched further by their tremendous contributions. So I, simply, want to thank Valerie, Valerie McDonald and all of you Council Members, City of Pittsburgh, for joining with us in this partnership as we attempt to promote an awareness of a program that is unbelievable. And it must be, indeed, the most outstanding educational program of its type in the country. Thank you so much.

The Chair:

Thank you.

Dr. Morgan-Lee:

I, too, would like to say thank you to Valerie McDonald and all of Pittsburgh

and City Council for this wonderful honor. Hill College, I think, continues to be the best kept secret in Pittsburgh. We are located at 2851 Bedford Avenue in the Hill community and we are trying to be a partner, if you will, with that community in providing educational services to the residents of the Hill community.

I would like to invite you to visit us at some point. To come and see the kinds of things that we are doing in the Hill College and also that you would always share with others what you've seen and heard here today, because we need people to tell the story of Carlow Hill College. Thank you so very much for this honor.

Ms. McDonald:

I would also ask Councilman Udin, we became involved with this luncheon -how did we become involved with the luncheon? I don't know, that happens, but we got involved. We also have an intern in our office who is no longer an intern, but she just you know works a little bit in the office. And, she is from Carlow College and when I have her in there I'm just so pleased with the quality that Carlow produces overall and I know that Hill College is going to produce the same caliber of students that can go out and really make a difference. But, Councilman Udin, the Hill College is smack in your district, closing comments.

Mr. Udin:

Yes, Mr. President, if I may.

The Chair:

Yes. Councilman.

Mr. Udin:

I would like to extend my congratulations to Dr. Lee and all of the representatives of the Hill College. They make a very valuable contribution to students, adult students in the Hill District many times who have given up on any prospect of receiving a college education. But, they find that there's new hope and a people who believe in their possibilities to make their lives better. They contributed to the improvement of the lives of many, many people in the Hill. And, I just want to join Councilwoman McDonald in thanking you for all the work that you do and I'll continue to support it.

Dr. Morgan-Lee:

Thank you.

Ms. McDonald:

The luncheon is October 25th. That was just a reminder, October 25th at 12:00 noon at the Rivers Club. And, as part of the committee to have this luncheon become a reality, I invite all of you all to attend, it's well worth it. Thank you.

These are familiar faces. Well, at least, the one is a familiar face. Will the representatives, students, staff from Westinghouse, George Westinghouse High School and please bring the Bulldog Stick with you, come forward?

I think, this school is cleaning up on this football thing in City Council Chambers. And, you know, I have to do it, because everytime I turnaround there is some remarkable feat that this football team is performing. I'm not doing this for, you know, it's not patronage or anything like

that. I mean, yes, this school is in my district, but it's just the fact that they keep doing it. They keep having feats that prompt this kind of stuff. So, here they are again.

Coach Webb and to the football team. We have Coach George Webb; team members -- raise your hand, because you know I forgot your names already. Omar Smith, there it is; Ezra Coles, Jason Freeman and is it Leimus? Leimus Bey. I'll read the resolution.

MS. McDONALD PRESENTED:

No. 1190. WHEREAS, on Thursday, October 10, 1996, the Westinghouse High School football team won its 500th game with a 21-0 victory against South High School; and

WHEREAS, the Bulldog's 500th game benchmark is the first to be reached in the City League. Westinghouse High School is only the 26th high school in Pennsylvania scholastic circles to reach the 500th win plateau. In addition to this outstanding accomplishment, Westinghouse leads all City League schools with 34 league championships; and

WHEREAS, Westinghouse has a long established tradition of a hardworking football program. This tradition is the result of dedicated, skillful coaches throughout the years. Pro Burton (1919-1945), Pete Dimperio, Sr. (1946-1966), Rudy Musulin (1967-1970), Fred Malins (1971-1977), and George Webb (1978-present), have all contributed to produce an unsurpassable line of teams. The program, the training regimen and the coaching staff's abilities have brought the playing to a

higher level, leading to years of success; and

WHEREAS, the team players, themselves, are to be commended as they work together to strive towards excellence.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Westinghouse High School for its football team's 500th victory and wishes to recognize the tradition of dedication that the program has come to symbolize.

The Chair:

Motion to approve; motion seconded. All in favor? Motion carries.

Ms. McDonald:

I never had a Bulldog Stick. I thought George had a problem. I said, what's wrong, you know, you have problems with your legs? It's just a Bulldog Stick. What do you call that?

Mr. Webb:

That's pride.

Ms. McDonald:

That's pride with spikes out of it too. In case somebody messes with you, you never know. So, without further ado do you want to let me hold that while you say a couple words here? Here we go.

Mr. Webb:

Thank you, Councilwoman McDonald. On behalf of the Westinghouse Family, we'd like to thank City Council for

the honor of this resolution. It's not just for the team that we have this year. This is something that has been in the making for all the time that Westinghouse has been in existence. The football program has always been a mark of excellence at Westinghouse High School starting with Pro Burton, Pete Dimperio, Rudy Musulin and so on up until this day. And, I think, it's a tribute to the hard work that the young men put forth year in and year out. There have been quite a few youngsters over the years who have been outstanding football players for Westinghouse High School. And, I'd like to think that the youngsters that we have this year are following in that legacy and doing an example, doing an extra effort type of workmanship that they put on the football field so that we can continue in this legacy of Westinghouse football.

And, I'd like to thank Councilwoman McDonald, again, because she's always in our corner. I still refer to her as my boss. So, I'd like to thank City Council also. Thank you.

Ms. McDonald:

Ezra.

Mr. Coles:

Well, I would just like to thank City Council for this recognition. It's not everyday that a City high school wins 500 wins and we'd just like to thank City Council for recognizing Westinghouse as one of the best high schools in the City. Thank you all.

The Chair:

Councilman Onorato, I believe you have a number to be read into the record?

Mr. Onorato:

Mr. President.

MR. ONORATO PRESENTED:

No. 1191. WHEREAS, each year the Italian Heritage Society of America presents the IHSA Honoree Awards. These awards recognize individuals who work to support the IHSA's goals.

WHEREAS, the IHSA has established a foundation for the education and cultural enrichment of the Italo-American family and community and works to keep alive the traditions and knowledge of the Italian identity. The Italian Heritage Society of America exists so that the descendants of Italy can experience the essence of Italy, its diversity of culture, noble achievements and historical excellence; and

WHEREAS, the Italian Heritage Society of America's Annual Honoree Award is presented to individuals who encompass these goals; and

WHEREAS, the 1996 Italian Heritage Society of America's Honoree Awardees are: Government Award -Honorable Nicholas A. Colafella: Craftsmanship Award - Donald E. Labriola; Craftsmanship Award - Gerald E. Labriola: Communications Award - Vincent A. LoCastro; Business Award - Guy Mattola; Heritage Award - Joseph B. Natoli: Business Award - Joseph R. Piccirilli; Business Award - Maurice Pintavalle; Restauranteur - Marco Sacco: Entrepreneur - Salvatore Sunseri; Labor Award - Richard L. Trumpka; Lisa Marie Jias, M.D. - Junior Honoree: Humanities Award - Mary Arena,

Special Honoree; Anthony Ficcari, Special Honoree.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby congratulate and commend the 1996 Italian Heritage Society of America's Honoree Awardees and thanks them for all their work in keeping Italian pride and heritage alive.

Also.

No. 1192. WHEREAS, each year the Italian Heritage Society of America presents the IHSA Academic Awards. These are monetary awards which are paid to the academic or training program in which the awardees are enrolled; and

WHEREAS, the Italian Heritage Society of America's Annual Academic Awards is presented to energetic and hard working students; and

WHEREAS, the 1996 Italian Heritage Society of America's Academic Scholarship Award Honorees are: Holly Lyn Anderson, Jodi Lynn DeBlassio, Carmelina DiBiasio, Angela Dippolito, Patricia Susan Fittipaldo, Lawrence Louis Mauro, Jr., Douglas McCallen, Lori S. Metrovich, William Murphy, George Nelson.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby congratulate and commend the 1995 Italian Heritage Society of America's Academic Honorees and wishes them success in all of their future endeavors.

MR. COHEN moved to adopt the resolutions.

MS. McDONALD seconded the motion.

Which motion prevailed.

The Chair:

Councilman Cusick, I believe, you have a number of guests in the audience today.

Mr. Cusick:

Good morning. Would the participants of the Carrick Gardening Contest please come up? And, I'd like at this time to ask Councilman Ricciardi, who is the co-sponsor of this proclamation to join me up here. Also, in the audience today we have District Magistrate Richard King and we've asked Magistrate King to present the awardees with proclamation. I'm going to read the resolution here and I'm not going to say any names, because I hatchet everyone's name. But, Councilman Ricciardi has been so gracious to read the names directly after the resolution has been read.

MR. CUSICK PRESENTED:

No. 1193. WHEREAS, in 1993 the Carrick Business Association and the Carrick Community Council, along with assistance from the Western Pennsylvania Conservancy, created the Carrick Goes Gardening Contest; and

WHEREAS, the gardening contest was envisioned to bring together the business community and the residents for a common purpose of making the Carrick community a more beautiful place to live; and

WHEREAS, the Carrick Goes Gardening Contest has grown from twenty to well over fifty homeowners and businesses and also includes local schools such as Concord Elementary School, making all residents proud of their participation.

NOW. THEREFORE BE RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate Chairperson Mary Cahill, Kevin Dieterle, President of the Carrick Business Association, Nick Viglione, President of the Carrick Community Council, Mike Woshner, Jeannie Backo, Mary Ann Markowitz, Rachelle Pallotta. and Carol Readshaw as well as the 27 winners. 1996 winners of the Carrick Goes Gardening Contest for their efforts in beautifying the Carrick neighborhood and making the City of Pittsburgh an even better place to live.

The Chair:

Motion to approve moved and seconded; all in favor? Motion carries.

Mr. Cusick:

At this time, I think, it would only be appropriate is we had Councilman Ricciardi come up and say a few words, but more so than that to announce our winners.

Mr. Ricciardi:

Thank you very much, Mr. Cusick. The resolution itself is self-explanatory. Carrick continues to be a community really on the move. I'd really like to congratulate everyone and I have the honor today of mentioning all the participants and all the winners.

Mary Cahill is our Chairperson. Mary I'll read all the participants and the winners and, then, I'll ask you to come up and maybe tell us who is here with us and, then, we'll give out the first award.

Carrick Goes Gardening Committee, the Chairperson is Mary Cahill: President of the Carrick Business Association is Kevin Dieterle. President of our Carrick Community Council and also one of our supervisors with Public Works is Nick Viglione; Mike Woshner, Jeannie Backo, Mary Ann Markowitz, Rachelle Pallotta and Carol Readshaw. Carol is also the wife of our State Representative, Mr. Harry Readshaw. Also, we have with us Norman Stower, Joseph Splicker, Kay and Buzz Seemiller, Nita Modero, Jeffrey Joanne Readshaw, Courton. Breisinger, Betty Shutte, Don Boyle, Diane Ciplioni, Virginia Smith, Ken Juran, Robert Potts, Vincent Westling, Alice Darling, Jerry Miller, Bill and Irene McQuade, Eleanor Baringer, Phyllis Cardello, Emma Shug, Marty Rickert -- I apologize for the Marty there. That's definitely a mistake on my part. Oh, did I do good, thank you. Kevin and Rebecca Dieterle, Charlene and David Marina and Concord Elementary School. And, I think, in all of that I apologize to three people. And, those are our participants and winners and as Mr. Cusick has pointed out we have some awardees by numbers, Mr. Cusick.

Our first place awardees, today we have Diane Ciplioni. Is Diane with us?

Ms. Cahill:

She's not here, but I'll take it.

Mr. Ricciardi:

Okay, thank you. I'm going to put them right here so you don't have to carry them all at one time. We also have Jeannie Backo, congratulations. And, also we have with us Kay and Buzz Seemiller; Mrs. Seemiller, congratulations from City Council and, I think, that's it. I'm going to ask Mary; Mary, would you come forward? You were the Chairperson and you've done a wonderful job. And also, I had the opportunity of experiencing a dinner with you this past weekend and maybe you can let us know who is here in person with us.

Mr. Cusick:

Let me interrupt before you start, Mary, because I think at this time I'd like to call on District Magistrate Richard King to come up and Magistrate King said he'd be honored to give you this plaque.

Mr. King:

I received a call from Councilman Cusick's Office about presenting this to Mary. Mary kind of gets this whole thing organized and together. And, I've known Mary a long time. I went to grade school and high school with her son. I've known Mary since I was about six, because she was always involved. She was always involved in everything since six and she has yelled at me a lot over those forty some years that I've been alive. And, everytime she was involved in something she put 100% into it and besides the Carrick Goes Gardening, she's very heavily involved in the library up in Carrick. She gets a little embarrassed, but I always refer to her as the Grand Dame of Carrick. So, it's really an honor for me to present this today to her.

Ms. Cahill:

Okay, I think everybody can hear me. All right, I want to thank City Council. Joe Cusick, Mr. Ricciardi and who did I miss; oh, Richard. I never want to forget you. Okay, and thank you for giving us this award. Carrick is very honored to accept this award. We in the Gardening Contest. since 1993, have been trying very hard to beautify Carrick and I'd like to invite all of vou to come next summer and see the gardens that have flourished in Carrick. We're trying very hard to make, as I said when I was here two years ago; we're trying to make Carrick the garden spot of Pittsburgh. So, thanks again to City Council and if I forgot anybody I'm sorry.

This is really very overwhelming, but I would like to present our grands here. I think, that everybody should come up and say their name so that you know or — it won't take long. You don't want to do that? No, okay. Look on their beaming faces, because they're very happy to be here. Again, thank you and thanks to City Council.

Mr. Cusick:

I would just like to say that everyone here is a first place winner in my eyes and I'm sure the rest of Council and the rest of the residents of the City of Pittsburgh. You truly make Pittsburgh a beautiful place, not only through your flowers, but through your participation. Thank you.

Ms. Cahill:

I want to say one thing. I just want to add if it wasn't through the Conservancy for the City of Pittsburgh, the Carrick Community Council and also the Carrick Business Association, we would not be able to hold this contest. Do come and see us will you up in Carrick and see all the great flowers and gardens?

The Chair:

Thank you. I want to thank you all for your hard work. We want to say hello also to Joanne Herman, who is very active in the community with the Block Watch Program. And, we also want to thank you for thanking the Western Pennsylvania Conservancy and let you know that it's this City Council that keeps funding it even when the Administration keeps cutting them.

Councilman Cohen, you have one to be read into the record.

Mr. Cohen:

Mr. President.

MR. COHEN PRESENTED:

No. 1194. WHEREAS, the Eastside Alliance is a cooperative effort among the Eastside neighborhoods of Bloomfield, Friendship, Garfield, Lawrenceville and Polish Hill; and

WHEREAS, these neighborhoods are working together to maintain and improve their communities as vibrant places for young and old to live and work; and

WHEREAS, the Eastside Alliance is a coalition of the following nine community organizations: Bloomfield Blockwatch, Inc., Bloomfield Garfield Corporation; Friendship Development Associates; Friendship Preservation Group,

Garfield Jubilee Association, Lawrenceville Development Corporation, Polish Hill Project Committee, St. Francis Medical Center and the Western Pennsylvania Hospital; and

WHEREAS, the Eastside Alliance was created because each of these great neighborhoods can be even stronger if they all work together.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks the Eastsider of the Year, for service above and beyond the call of duty; and

BE IT FURTHER RESOLVED. that the Council of the City of Pittsburgh commends and thanks the Eastside Alliance Volunteers of the Year: John Price of the Bloomfield Block Watch, Inc.; Dorothy Bloomfield-Garfield Sarge of the Corporation; 400 Roup Avenue Committee of the Friendship Development Associates; Mike Dulan of the Friendship Preservation Group; Dr. Johnnie Monroe and Shirl Stoken of the Garfield Jubilee Association: Year Volunteers of the Twenty Lawrenceville Bloomfield Meals Wheels; Don Reed of the Lawrenceville Development Corporation; Darlene and Tom Hennen of the Polish Hill Project Committee: St. Francis Plaza Volunteers of the St. Francis Medical Center; Mary Lee Howard of Trinity Baptist Church; and Doris Flynn of the Western Pennsylvania Hospital.

The Chair:

Motion approved motion seconded; all in favor? Motion carries. Thank you. Are there any other proclamations or any to be read into the record? We have been bouncing around a little bit between colleagues. Everything is in order, thank you very much.

Moving to Presentation of Papers, Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Councilman Cohen.

MR. COHEN PRESENTED:

No. 1195. Resolution providing for the letting of a contract or use of existing contract for the furnish and delivery of office equipment for the Bureau of Building Inspection, at a cost not to exceed \$15,261.25, chargeable to and payable from CA BBIITF.

Which was read and referred to the Committee on Public Safety Services.

The Chair:

Councilman Cusick, Committee on Parks and Recreation and Youth Policy.

Mr Cusick:

No new papers, Mr. President.

The Chair:

Thank you, Councilman Cusick. Councilwoman McDonald for Mr. Hertzberg, Committee on Lands, Buildings and Procurement.

Ms. McDonald:

No new papers, Mr. President.

The Chair:

Thank you, Councilwoman McDonald. Committee on Housing, Development, Economic Development, Promotion.

Ms. McDonald:

No new papers, Mr. President.

The Chair:

Councilman Onorato for Mr. O'Connor, Committee on Engineering and Construction.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. O'CONNOR PRESENTED:

No. 1198. Resolution providing for the issuance of a warrant in favor of Union Metal Corporation in the amount of \$2,380.00 in payment of a special lane control signal pole structure chargeable to Code Account 1492, Index Code 149203.

Which was read and referred to the Committee on Finance and Budget.

Also.

No. 1196. Resolution amending Resolution No. 635, approved July 10,

1985, as amended, entitled, "Resolution providing for the filing of a Community Development Statement by the City of Pittsburgh in connection with the 1985 CDBG Program" so as to decrease a line item in Public Works and add a line item in Engineering and Construction.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

Also.

No. 1197. Resolution amending Bill No. 1120 approved October 15, 1995 which reads: "Resolution providing for an Agreement or Agreements, or use of existing Agreements, and/or a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Playgrounds located in CD Areas; providing for the purchase of equipment and materials for said projects; and providing for the payment of the costs thereof," by adding a line item and increasing the total project \$2,877,579.00 allocation from \$2,952,579.00.

Also,

No. 1199. Resolution further amending Resolution No. 1327 effective December 23, 1982, as amended, entitled, "Resolution providing for an Agreement/s or Supplemental Agreements/s with a consultant/s for engineering services in connection with the Rehab of a portion of Fort Pitt Blvd. Eastbound and Rehab of the Market Street Bypass, and providing for Agreement Reimbursement bv the Commonwealth of Pennsylvania Transportation" Department of increasing the total project allocation by

\$575,000.00 from \$2,000,000.00 to \$2.575.000.00.

Also,

No. 1200. Resolution amending Res. No. 270, effective April 26, 1996, entitled, "Resolution providing for an agreement/s with the Park Reconstruction Program/Hammer Court for the benefit of the citizens of the City of Pittsburgh, at a cost not to exceed \$11,968.00, chargeable to and payable from the 1993 CDBG Program, City Council," by amending the title to allow for expenditures by use of existing contracts and to include Code Accounts.

Also,

No. 1201. Resolution amending Resolution No. 269, effective April 26, 1996, entitled, "Resolution providing for an Agreement/s with the Park Reconstruction Program/Saline Street Playground, for the benefit of the citizens of the City, at a cost not to exceed \$13,998.75, chargeable to and payable form the 1992 CDBG Program," by amending the title to allow for expenditures by use of existing contracts and to include code accounts.

Which were read and referred to the Committee on Engineering and Construction.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you, Councilman Onorato.

MR. ONORATO PRESENTED:

No. 1202. An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III. Chapter 921 by changing from "R3" Multiple-Family Residence District and "M4" Heavy Industrial District to "RP" Residential Planned Unit Development District certain property located between the Monongahela River and Wharton Street, between South 16th Street and South 19th Street, 17th Ward, Council District 3.

No. 1203. Resolution providing for the addition of property located at 4423 Bigelow Boulevard (known as the Syria Mosque site), Block and Lot Number 27-P-212, in the Fourth Ward, City of Pittsburgh, to the existing Oakland Civic Center Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

Councilman Onorato for Mr. Ricciardi.

Mr. Onorato:

Mr. President.

The Chair:

Thank you. Committee on Public Works, Water and Environmental Services.

MR. RICCIARDI PRESENTED:

No. 1204. Resolution amending Resolution No. 615 effective August 15, 1995, entitled, "Resolution providing for an Agreement/s or use of existing Agreement/s for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$350,000.00, chargeable to and payable from CA 4-01-35-0077-96-500-96-01, City Source Associates" by increasing the total allocation by \$100,000.00.

Also,

No. 1205. Resolution amending Resolution No. 273 effective April 26, 1996, entitled "Providing for a Contract or Contracts, or the use of existing Contracts, for street resurfacing programs such as ultra thin hot mix asphalt milling and truck rental, brick and blockstone repairs, concrete slab replacement and parks related asphalt work and providing for the payment of the cost thereof," by increasing the total allocation by \$500,000.00.

Also.

No. 1206. Resolution granting unto The Coffee Beanery, Ltd. an encroachment to construct a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Walnut Street and Ivy Street in the 7th Ward, Council District 8.

Also.

No. 1207. Resolution granting unto Carnegie Library of Pittsburgh an encroachment to construct a handicap ramp on a portion of the sidewalk area on Fisk Street in the 9th Ward, Council District 6.

Also,

No. 1208. Resolution granting unto Penn Avenue Place Associates, L.P. an encroachment to construct an entrance canopy over a portion of the sidewalk area on Penn Avenue in the 2nd Ward, Council District 6.

Also,

No. 1209. Resolution granting unto East Liberty Quarter Chamber of Commerce an encroachment to construct a one single-faced community sign on the right-of-way of the island area on Penn Avenue & Penn Circle West in the 11th Ward, Council District 9.

Also,

No. 1210. Resolution granting unto The Pittsburgh Cultural Trust, owner, LaPrima Espresso Company, an encroachment to construct a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Liberty Avenue in the 2nd Ward. Council District 6.

Also,

No. 1211. Resolution granting unto Bruschetta's, 1831 East Carson Street, Pittsburgh, Pennsylvania, 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on S. Nineteenth Street in the 17th Ward, Council District 3.

Also,

No. 1212. Resolution vacating a portion of Weak Way 20 feet wide from

Crystal Way to its easterly terminus in the 14th Ward, Council District 5.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman.

MR. UDIN PRESENTED:

No. 1213. Resolution transferring \$15,000.00 from Code Account 1016, Index Code 101600, Salaries, Regular and Temporary Employees, Mayor's Office to Code Account 1017-1, Index Code 101717, Education and Training, Mayor's Office.

Also.

No. 1214. Resolution transferring \$200,000,00 from Code Account 45, Health Index Code 004507, Insurance, \$200,000.00 from Employee Health Care Program. Index Code 205005 and \$100,000.00 from Code Account 44, Index Code 004408 to Code Account 45-9, Compensation Indemnity, Workers' Department of Finance.

Also,

No. 1217. Resolution providing for the issuance of a warrant in favor of

Edward F. Wiernik in settlement of claim for sewer line damage due to City tree roots in the amount of \$1,320.00, chargeable to Code Account 46, Index Code 004606.

Also.

No. 1216. Resolution providing for the issuance of a warrant in favor of Adella Karpuszka in settlement of claim for sidewalk damage due to City tree roots in the amount of \$1,320.00, chargeable to Code Account 46, Index Code 004606.

Also,

No. 1215. An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question which would supplement the City of Pittsburgh Home Rule Charter by adding Article 9 to provide for a Police Civilian Review Board.

Also,

No. 1218. Resolution providing for the transfer of \$35,000.00 from Code Account 1060, Salaries Regular Employees, Index Code 106005 to Code Account 1061, Salaries Temporary Employees, Index Code 106104.

Also.

No. 1219. Resolution providing for conveyance by the City of certain property under Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act" (Armandale Street).

Also,

No. 1220. Resolution providing for the filing of a petition for the sale of certain properties acquired at tax sale in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Also,

No. 1221. Resolution providing for conveyance by the City of certain property under Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Also,

No. 1222. Resolution providing for the filing of a petition or petitions for the sale of certain properties acquired at tax sale in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act," effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

Mr. Udin:

Motion to waive ruling on the first two bills, Mr. President.

Mr. Onorato seconded the motion.

Which motion prevailed.

THE CHAIR PRESENTED:

No. 1223. Resolution amending Resolution No. 965, approved September 28, 1981, entitled, "Resolution authorizing the City Controller to create a special trust fund to be designated CODE TRUST FUND into which there shall be deposited money charged for the purchase of all Building, Fire and Mechanical Codes and Pittsburgh Supplements to the Code, and authorizing the Director of Housing to purchase such Codes," by changing the title of the trust fund to read BOCA CODE TRUST FUND, and by changing the department that purchases the Codes to read DEPARTMENT OF PUBLIC SAFETY.

Mr. Udin:

Also, Mr. Chairman --

The Chair:

Yes.

Mr. Udin:

-- waive ruling on the bill on the resolution for the referendum.

The Chair:

All in favor? Motion carries. I'm sure we'll be holding that for a public hearing. If we win the vote today we won't need to do the referendum.

That concludes our Presentation of Papers. Moving to unfinished business and reports of special committees. Any other matter to be brought before the body?

THE CHAIR PRESENTED:

No. 1133. Resolution appointing James Roddey as a member of the Allegheny County Sanitary Authority, term to expire December 31, 2000.

The Chair:

You've heard the reading and title of the appointment, I think, we need to move on this one way or the other today. I'll defer to my colleagues. I'd like to speak first, then, if nobody else can open up since I've been blasted by my good friends down at the Post Gazette.

First of all, obviously, you know my feelings on this issue. I don't believe we should approve the appointment of Mr. Roddev. I think, that's clear from my part. For the last several weeks as well. I'm going to be voting, no, on the appointment And, that doesn't mean I don't today. personally appreciate Mr. Roddey or his good work in the philanthropic community or anything of the sort. I've made that clear. I think, he has clearly made a contribution in a number of ways to non-profit and community groups, community causes throughout the City and Allegheny County. But, that's really not the issue to me and it's not what the deciding issue is.

In Mr. Roddey's letter back to Council where he makes a request that we do approve his appointment, he raises the issue. He says, the real issue is who will determine the future of ALCOSAN. Will it be an organization of integrity and efficiency or a public agency, which none of us can point to with pride? I guess, I take exception right from the beginning with Mr. Roddey's appointment and with Mayor's support characterization that somehow Mr. Roddey (The Great White Knight), is out to save a troubled and embattered or inefficient agency. And, I don't think that's the case at all. So, I take exception with the way this whole appointment in Mr. Roddey's own words have come to characterize what truly is the situation at ALCOSAN and what gives rise to what the composition of the Board should be.

If you look at Chairman Katarincic's own report, which was presented to colleagues today, the ALCOSAN 2000 Report, and in the nine years that I've been with City Council, I think, I can point to pride and I think the public points to pride that under the previous Chairman Foerster's leadership, the majority Commissioners, the Executive Director, Mr. Trevs and a lot of hardworking people at ALCOSAN, both at management level and at the employee/union level, I think we can point to a public utility that should remain public and has provided a great service at a very low cost efficiently to all of the rate payers within Allegheny County and the more than eighty communities that make up the ALCOSAN establishment. So, this big notion that somehow there is this troubled agency or it is in crisis or it is inefficient or it is wrought with patronage and all this other baloney is just not the case. And, I want to take exception to that.

I think, we can point to pride, at least, I do with the track record of the ALCOSAN administration years past and presently. That doesn't mean we haven't had differences over the years. We've had a lot of debate at the table about non-City communities anteing up and helping to pay the debt service at ALCOSAN as residential expansion, commercial expansion has happened outside the City of Pittsburgh. We the rate payers in the City have supported the system right from the beginning since the early forties. And, it's only fair that new communities coming on line like Cranberry Township should also have to ante up and help pay the debt service that's been on the backs of City working people for many decades. Those

are reasonable issues that we've debated here over the years. We're all for more efficiencies at ALCOSAN. We're for the host fee. We're for the ALCOSAN system expanding into other communities and them coming on line. All those things we are supporting. All those things are part of the goals of the ALCOSAN Director and the ALCOSAN Board and staff in the last decade. But, I have been -- take exception Mayor's by the comments and characterization ofRoddey's Mr. appointment is so badly needed at this agency, that's it's in crisis. It's not. I showed you my ALCOSAN bill last week. It's the lowest utility bill I'm going to pay. It's about one-fifth of the TCI bill and about one-twentieth of the bill from Duquesne Light or Equitable Gas that I pay and there has never been an outage or a power shutoff problem with ALCOSAN.

The report, I think, is important from Chairman Katarincic, because if you go through it quickly and I won't state all the different topics, I think, it's clear that the ALCOSAN Board should proudly point to a lot of things that they've been working on. And, you have the report before you. In particular, the tremendous amount of work that has gone into the Act 537 requirements, which have been forwarded to Council and at some point I believe in the early spring we'll be having a formal public hearing.

ALCOSAN is off and running. They're a great group of Board members and staff and we should continue to support their existence as a public utility here in Allegheny County. I believe, strongly that if it ain't broke don't try to fix it. And, there has been, clearly, in my mind having been a member of the ALCOSAN Task Force originally appointed by Chairman Dunn of

the Commissioners, it has been clearly an effort afoot at the County level to investigate any and all possibilities at efficiencies at ALCOSAN including the possibility of privatizing either an outright sale of the utility to a private interest or for profit groups getting their hands on ALCOSAN. It may not be an outright sale. because that would come back to this Council and, I think, we would block it, but there are any number of for profit organizations, consulting groups you name them, that want to get their claws into ALCOSAN and I don't think this Council should facilitate that. And, that's one of the basic problems that I have with Mr. Roddey's appointment. I do not see Jim Roddey as this great white knight, but I see Mr. Roddev as a very shrewd business person in this instance and I want to comment very quickly and compare what has been described by the Post Gazette as patronage. I want to talk about Jim Roddey's patronage versus the comments that have been made recently by my good friends at the Post Gazette.

If you've read the last two editorials in the last couple of days, obviously, I have to take exception to the editorials. I think, they're not only editorially but intellectually and factually dishonest. This characterization that somehow my opposition to Roddey or that any opposition to Roddey and the like is somehow tied to this issue of patronage.

Well, first of all, I would love to have the opportunity to have some patronage at ALCOSAN or any other place, because part of my job as an elected Council member is to assist my constituents. Every elected official at this table and every elected official in the Mayor's Office past and present, County

level, you name it, have made referrals for constituents for employment opportunities. That's a fact of life that's part of our job responsibilities. I think, everyone of us has forwarded resumes and the like with a cover letter saying this gentleman or this individual lady is the greatest person in the world, give them an opportunity for employment. I'm proud of that, that's my I do that consistently responsibility. throughout my Council district and throughout my tenure. I wish I could tell my constituent that I actually could pick up the phone and command all this power that somehow I can get somebody a job. I can't. I have never given anybody the illusion that I have that ability. I don't think any of you have given your constituents or an applicant a job of that capability or that illusion. It's just not the case. So, let's clear the record there. If there is some factual information that the editorial board at the Post Gazette has that that has been the case I would sure like to see it, because they would be hoisted on their petard. There is no facts there. It's just violative of any level of truth. The Post Gazette continues to blast on issues without even having the courtesy of calling the elected official or anybody else involved for their opportunity to respond and give some factual information. So, I just want to set the Post Gazette editorial board straight on that issue.

When it comes down to it, the characterization of Roddey, you know when vou look at Mr. Roddev's involvement, he's President the Bantry Group, which is this new phenomena. This is in relation to delivery of prison health care, HMO services. A little company that started out and now services 40,000 prisoners in several states. And, up until this past year, prior to Mr. Roddey's financial support of Governor Ridge and his

administration, he was not involved in providing those services to Pennsylvania. Now, all of a sudden he has a \$100 million contract to provide prison health care services. This is Mr. Roddey, this is the Bantry Group and their own Wexford health services in Allegheny County. So, if we want to talk about patronage, talk about millions of dollars in the privatization efforts including Mr. Roddey's role in privatizing the Mini Kane Hospitals, which is no secret. Throwing the union out on the street. Mr. Roddey's involvement with the sport of this Administration and others, the Ridge Administration in giving \$100 million contract making him the biggest thing on the market here in the delivery of health care to prisoners. When you read the quotes from Mr. Roddey the bottom line is reduction of personnel that consistently makes comments. They're all a matter of public record and I'll share them. That what is good for his business is the opportunity to have low level wage earners, non-union work force, things of this sort. That's true for his comments in the past on his involvement with Fine Host when he was bidding on contracts at the stadium. That's true of his involvement as President of the Bantry Group providing prisoner health care. That's true of his involvement with Star Cable Associate with his work in helping to privatize and sell WQEX locally. It's true with the Hawthorne Group, which is a group of individual entrepreneurs in the Pittsburgh area. It's true with his relationship with Business Records Management Group as well as Wexford Health Sources.

So, let's put this issue of patronage in perspective. You know, if a Council member makes a referral with a cover letter, it's open in public recommending a job for somebody that we don't even have a guarantee for it, that's attacked editorially by the Post Gazette. I don't know what they're smoking down there at the Post Gazette editorial board, but I would suggest that if we had a newspaper locally with some integrity and some level of actually wanting to do an investigation and look at the issue of patronage, why don't we start talking about the patronage that has been doled out to major financial contributors, not only of Mayor Murphy, but also of Allegheny County.

And, time doesn't permit me nor is it on the issue for me to start talking about Mayor Murphy, Federated Investors and that whole deal with the business privilege tax, but that's going to come up another time. In the nutshell and I'll cease on this point. ALCOSAN is an all white board. I have been clear in my nine years on this City Council. I have consistently raised that issue on the Planning Commission appointment and every other appointment far back Mayor as Caliguiri's appointments, Mayor Masloffs appointments. now Mayor Murphy's appointments. I have always raised not only issues of gender of race so we have composition of boards that's fairly representative of the City. I have also raised the geographic. I've voted on certain appointments to the Planning Commission, because for a while we had a Planning Commission all from the East End. And, even before my good friend, Councilman Hertzberg, got here I have -- and it's a matter of public record, I voted, no, for people asking people from south of the river and west of the river, from the west end section of the City to be appointed on commissions. I am saying I am concerned about the demographics of this board and I'm concerned racially that we have an all white board of ALCOSAN and I think

that's wrong. And, we have an opportunity, this Council has an opportunity, because we have to sanction or deny the Roddey appointment to make a statement. I think it's fair. I'm not grandstanding on the point and it's part of a principled stand I've taken over the last nine years of being in public office.

I'm also concerned, because we are losing a true friend in not only the utility workers union and to the management staff at ALCOSAN. We are losing a true spokesperson for ALCOSAN's viability to remain a public utility and; that is, in the form of Mr. Ira Weiss, who was the past Solicitor. And, he's a very active Board member. If any of you have watched The Editor's Show, or seen Letters to the Editor. editorial responses, Ira Weiss has been a great Board member protecting the interest of taxpayers and rate payers when it comes to the ALCOSAN Board and their bills and activities. And, we're going to lose Ira Weiss. He is going to come off the Board So, let's not kid any of in December. We have three Republican County Commissioners. If they want Jim Roddey so bad, they can fill that seat when they take Ira Weiss off the Board. Mr. Roddev will get on the Board of ALCOSAN. The issue is what Council's role is going to be in helping to further facilitate private interests and profit making off of this public utility and that's one of the link pins or reservations that I have in supporting Mr. Roddev. And, I'm not going to call the gentleman a liar, but the fact of the matter is there have been formal meetings with American Water Works Utility and other private profit interest groups in their relationship or future role at ALCOSAN and that's my reservation with God forbid this Council Mr. Roddev. should insist that a true consumer advocate

somebody representative of community be on the Board of ALCOSAN. Is that so terrible? Is it so bad that not this business person who has all this myriad of financial dealings with record management firms and utility firms - I don't want to go back into Mr. Roddey's role on the Board of the Water and Sewer Authority years ago. Is it so bad that this Council says, hev, you control the Board? You have all your business and interest groups on the Board. we're losing Ira Weiss; is it so bad that a minority applicant can be on the Board? A woman be on the Board, that a consumer advocate, somebody that is going to defend and stick up for the rate payers and environmentalists? There are major environmental issues that ALCOSAN has to deal with. Is that so unreasonable for Council to play that role in a legislative sense? I don't think so, especially, since the Mayor and three Republican Commissioners are going to get their cake and eat it too. They're going to get the Roddey appointment, because when Ira Weiss comes off they'll make appointment.

Let this seventh joint person be a person that this Council takes a stand with on the issues and that's why I'm voting against Mr. Roddey. Councilman Cohen, then, Mr. Cusick.

Mr. Cohen:

Thank you, Mr. President. What I just heard reminds me of that line that if you throw enough mud on the wall, then hopefully, some of it will stick. I don't think it will stick, Mr. President. I support Jim Roddey to the Board of ALCOSAN, because he's well qualified for the position. There have been so many red herrings that

have been thrown up about this issue that I'd like to talk about it --

The Chair:

Excuse me --

Mr. Cohen:

-- his qualifications.

The Chair:

-- respect all of our colleagues.

Mr. Cohen:

There have been so many non-issues and you just raised, probably, eight or ten more new non-issues, that we need to talk about his qualifications. Mr. Roddey was a Captain in the United States Marine Corp. A successful businessman, yes, and you throw up so many new things about his businesses that it's impossible for us to respond to all of them, but I'm sure that the ones that you've mentioned were open competitive bidding processes. I'm sure of it.

He was appointed by Tom Foerster and to the Port Authority Board, which he served as Chairman for four years and received very high marks. He was appointed by Mayor Caliguiri to the Pittsburgh Water and Sewer Authority where he served as Chairman for five years. He served as Chairman of the United Way of Allegheny County, the President of the Pittsburgh Blind Association, the United Negro College Fund, the Pittsburgh Public Theatre. In 1986 he won the President's Award of the NAACP. In 1988, he won the Outstanding Citizens Award by numerous media outlets. In 1989, he won the Tree of Life Award from the Jewish National Fund. In 1990, he won the United Cerebral Palsy Humanitarian Award. In 1993, he won the United Way Volunteer of the Year Award. I could go on and on and on and on and now he is being appointed to the volunteer job of the Board of Allegheny Sanitary Authority, ALCOSAN.

Now, for those of you who are watching this, not those of you who are involved in the backroom deals, but those of you who are actually watching this, you're probably saying why isn't this nomination being support unanimously? Surely. City Council would unanimously for somebody like this who has volunteered to serve on the Board? Well, last week the issue that was raised or. I guess, this was two weeks ago it has been so long, the issue that was raised is that Jim Roddey is for privatization. That's what the Council President said two weeks ago standing right there. Jim Roddey is for privatizing ALCOSAN. Well, if that were true it would be an issue, because we all know that privatizing ALCOSAN would be a major, major mistake. But, it's not true. Mr. Roddey said and I reviewed the tape, I got the tape from the Cable Bureau. He said, five times that he's not for privatization. But, that wasn't enough; that wasn't enough. Instead we had to have it in writing and, you know what? He put it in writing on October 17th, a letter to all members of Council. "Dear Councilman Cohen..." and everybody got a letter like this, "...I am writing to once again confirm my position relative to the question of privatization of ALCOSAN." In bold letters, "...I do not advocate or support privatization of ALCOSAN." obviously, that isn't the issue. That was the red herring two weeks ago that was thrown in the path of this nomination.

When that didn't work, then, another red herring was thrown into the path and that was that the union opposed Mr. Roddey's nomination. And, that could be an issue, because Mr. Roddey has to work with the union. But, you know what? It's not true. It's not true. Last night the union voted and they voted not to oppose Mr. Roddey's nomination and they put it in writing. A letter that came to every Council member's office this morning. So, it's not that. So what is it? It's not privatization. It's not relations with the union.

Councilman Ferlo has raised seven or eight new issues and if we hold this for another week there will be eight or nine new issues. But, the fact of the matter is that he is qualified for this job and everybody knows that he's qualified for this job. So, if it's not these issues, then, what is it? What it is, is it's politics and that's why this nomination is so controversial. That is why it has been held for a week. That's why there has been more backroom dealing on this issue than I think any other issue that I've seen this year. And frankly, it's shameful. As far as I'm concerned it is shameful what Mr. Roddey has been put through with this nomination.

I ask my colleagues to rise above the politics and do the right thing, because we know what the right thing is and that is to approve a qualified man for this Board.

The Chair:

Councilman Cusick.

Mr. Cusick:

Thank you, Mr. President. I am a Board member of ALCOSAN and I think

that I've spoken to the majority of the rank and file. And, the majority of the rank and file tells me, no, to Roddey. I want to talk about what the papers has said about myself, you, Mr. President about patronage. I too at any point of my career will help anyone that I can. I think it is my responsibility as a public official to do what I can for my constituency.

Let's talk about Mr. Roddey and the qualifications. Yes, I do agree with you. I think, he is qualified. I don't see why we can't wait until December and when Mr. Ira Weiss is off the Board and put Mr. Roddey on.I don't know why it is so important that we place Mr. Roddey in the seventh position, a position on the Board that should be independent. A person that should be independent. There are three City, three County and one position that we hope and the rate payer hopes that would be independent. That's what it's all about. I don't think Mr. Roddey would be independent. I think, he is being placed on there by the County Commissioners and if they feel that he should be on there, fine, I agree with them. Then, do that when they have the opportunity to appoint someone that is independent. If the Mayor and the County Commissioners agree that they can find an independent candidate, which I don't believe they found an independent candidate at this time, then, I will support that candidate. But, until that happens I cannot support this.

I'm asking this Council right now to get some guts and vote, no, on Mr. Roddey. The rank and file down at ALCOSAN are hardworking men and women and I know for a fact that they will sell us out. If they're talking about privatizing the billing collection I don't know why the union is taking a neutral position on here. It upsets

me. The union I grew up in, the union I know is to stand up and be counted for. I don't know why this union is taking this position. This is unbelievable. weeks ago they were against Mr. Roddey. They called me, they told me, please Mr. Cusick don't vote for Mr. Roddev. Last night all of a sudden they're for Mr. Roddey again. It sounds to me like somebody's arm was twisted and I'm not going to be a part of it. I'm looking out for the rank and file. I'm saying have some guts vote, no, to Mr. Roddey today and if the Commissioners feel fit to put him in, in December, then, fine. Then, so be it.

The Chair:

Any other discussion? Councilman Onorato.

Mr. Onorato:

Thank you, Mr. President. Well, it has been three weeks since the name has been presented to us and I've heard the arguments for and against and I'm still convinced that this is the right thing to do and I still will vote, yes, today and stay consistent with my, yes, vote from three weeks ago.

I think, there has been a lot of red herrings thrown out to scare a lot of people. To scare my Council colleagues, to scare the union members, to scare a lot of people in the community. ALCOSAN the facility sits in my district on the Northside. It also sits in my neighborhood where I happen to live and we bear the burden of the unpleasant smell and the odor. We've been promised over the years the odor control, that would come. And, we're promised again that it is coming. I mean, I have as much at stake at this particular vote than

anyone in this particular room right now, because if privatization is truly going to happen there's no doubt in my mind that the first thing to be cut to increase profit is going to be the odor control program. If I had any doubt in my mind or if I felt even 10% that Mr. Roddey's nomination was to privatize, I would be saying no, no, no and fighting it. But, I'm not saying, no. I'm saying, yes, and I'm going to support him, because in the nomination process there is a procedure. The Mayor submits a name and we hold hearings, confirmation hearings. It doesn't mean we automatically rubber stamp a nomination. It means we ask questions and unless I'm mistaken, this is probably the most debated individual on any committee that I've experienced in my five years on Council. Most of them fly right through, but this one we held for three weeks. I drilled Mr. Roddey with questions both at the table and in private. I have the letter that Councilman Cohen talked about I heard my colleagues ask questions over and over again to Mr. Roddey as we sat here for several hours and I heard the answers. And, I'm very happy with the answers. I'm convinced he is not being sent over to privatize. I think, privatize is thrown up as the big red herring in this whole debate.

The issue we have here is that we have a joint nominee that hasn't happened or if it has it's a long time ago. It has been vacant for a long time. Let's remember this name was submitted by Commissioner Dawida, Commissioner Cranmer and agreed to by Mayor Murphy. The way I count that's two Democrats out of the three positions. You heard earlier that former Commissioner Foerster thought so highly of this individual he put him on the Port Authority. I don't think anyone in this room is ready to point a finger at Mr.

Foerster and say he's anti-union. If anything Mr. Foerster is, probably, the biggest friend the union in this County has. I know former Mayor Caliguiri also though highly of the individual to put him on the Pittsburgh Water and Sewer Board. Authority. I know I'm not ready to point a finger at former Mayor Caliguiri and say he was anti-union. I thought he was a very good friend of the union. I know Mr. Stackhouse has talked to several individuals and has nothing but good things to say about Mr. Roddey. And, I think, if this individual was truly anti-union he would be the first one to stand up and tell me. I have a lot of union friends both rank and file and in leadership positions. I didn't receive one call begging or demanding me to vote, no, because they were afraid of privatization and anti-union tactics. I did receive calls several weeks ago saying that the union was neutral. That it went to were in favor, then, it went to were opposed. Now we're back to were in favor again depending on who you're listening to. But, what I can tell you is that -- I shouldn't say in favor, they're neutral. I'm sorry. The last particular motion to stay neutral came from the largest possible body of the union and that's the rank and file at a meeting last night. So, to me that was the most democratic vote you could possibly have and it was, at least, or almost a two to one vote to stay neutral. And, you know what? I've been saying and my personal opinion is the union should absolutely stay neutral on this, because it doesn't serve their interest to pick a side on this, because either way they would lose regardless if he's confirmed or denied. Because, I think, there are a lot of us if not all of us who are very strong friends of the union and ALCOSAN. I have a lot of friends that work there that live in my district. If I thought for a moment that Mr. Roddey's vote was laying off those individuals who are my friends that work over there and doing a darn good job of keeping that place efficient, I would not be voting for him. I feel very comfortable that this is not what this is about and that's why I'm voting for Mr. Roddey.

The issue of the report that Council President Ferlo talks about, I find it ironic. It's a report that Chairman Katarincic is passing around and I don't know Mr. Katarincic that well, but what I do know is the only talking about privatization in this County is coming from the Republican Chairmen and from the people that control the Courthouse. They believe in it. We hear it everyday. We read it everyday in Who is their main guy on the paper. ALCOSAN? Mr. Katarincic. Mr. Katarincic is lobbying like crazy to kill this confirmation. So, on the one hand I have a gentleman who is carrying the flag of privatization saying please vote, no, against Mr. Roddey. To me that's enough to make me vote, ves. If somebody can explain to me why he's so against an individual who supposedly by some of my colleagues here, is going to carry the flag with him to privatize it, because that's not the issue.

It's about politics, which all confirmations are and that's fine. But, let's be honest with ourselves, Mr. Katarincic obviously opposes this particular gentleman for a reason. I don't claim to know what that reason is, but it's not because he's afraid he's going to get a second vote to privatize ALCOSAN, that's for sure. It's for a lot of other reasons. Now, let's be honest with ourselves. As far as I'm concerned that's enough to make me vote, yes.

The issue of Mr. Ira Weiss coming off the Board; if we're so concerned about it, once again, he's going to be removed by the same individuals that put Mr. Katarincic on the Board. Once again, it all ties together. It's the people that want privatization that are making the move to block Mr. Roddey. And, we can't lose sight of that particular point.

I also want to comment on the seventh member issue one more time. The issue of the seventh member in question we heard today and a couple of comments; why do we fill it? Why not wait until December and Republicans let Commissioners, that is, it could be Mr. Dawida and Mr. Cranmer again, fill the position in December and have Mr. Roddey put on then? Once again, I think, that's a red herring. That's not an issue before us. This is a confirmation process. The Mayor and the majority of the Commissioners sent a name to us. We've got to vote it up or vote it down based on the merits and based on the information we received: not based on should we fill a seventh seat or not. I think, I looked at the facts. I looked at this individual and I'm ready to vote, yes, because Mr. Roddey I think will do good things at ALCOSAN. I think, he will be independent and he has given me his word and he has given it to me in writing. That he opposes privatization and to all my friends listening in the union I oppose privatization. And, when I sat at the confirmation hearing Wednesday if for some reason every single person lied and put things in writing that are lies. I guarantee you I will be the first to make a motion to fight any privatization move. I will be the first to fund the attorneys to fight it, because this Council has a role in that an we aren't going to privatize ALCOSAN. It's good. I want odor control. We are going to fight for that. privatization would only kill it.

So, I am supporting Mr. Roddey, because I believe it's in the best business of ALCOSAN and in the best interest of the union at this point in time.

I would also want to comment on one thing and this is a touchy point, Mr. President, and I'm not going to get into a yelling match and let my temper get to me as I do sometimes. But, last week I asked my colleagues a simple question and that was what is the makeup of the HRC. And. I was accused from everything from race baiting to playing the race card and how insulting that was. Today, Mr. President. you bring up the issue of an all white board. If that isn't playing the race card at the last minute I don't know what is. I'm not saving it's not a legitimate issue, because it is a legitimate issue and I think our Board should be well represented. But, I just find it ironic when the race card is good for certain individual's causes, they're quick to use it and when I ask a simple question: what is the makeup of a board. I'm considered the person playing the race card. I think, it's very hypocritical and I think it's very unfortunate. Because, it is a legitimate question to be asked everytime we're talking about boards and I don't think any of us should play the race card for our advantage. I asked it, because I truly did not know what the HRC Board was made up of and it appeared none of my colleagues knew either. I'm pleased to inform you that it's very well balanced, the HRC Board, when it comes to a racial makeup and to a gender makeup. But, I think, what you heard today was unfortunate to bring that issue up at this time as it goes to Mr. Roddey's vote, because I think that's another big red herring.

All I'll end by asking my colleagues one thing, to truly consider their vote today

and to consider voting, yes, and to not send the wrong signal to any union member over at ALCOSAN that this vote is truly a prounion or anti-union, because that's not the issue. The issue right now is to do what's right for ALCOSAN. And, I'll invite one last comment and; that is, I'm the Northside representative that has the facility, which I stated earlier and I would not sell the Northside out for odor control and I will not sell out good workers who have put in years and years at ALCOSAN to make it, probably, the best public authority that we have in this county. I'm all for them. This is the right way to go. I'm voting, yes, and I want to thank the majority of the union for voting last night, for staying neutral, that's your proper role. Thank you.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

I'd like to have my comments brought forward. I'm going to be supporting the nomination for Jim Roddey, simply, because from just the standpoint of using my head here. I've been given absolutely no reason not to. I think, that it is historical that there is finally a joint decision made between the City and County. I didn't think it would ever be done. Again, no reason not to. And, the only correspondence I've got with all deference to the union are two pieces. One asking us to wait a week and the second most recent is that they took a vote to stay neutral. Hello guys? I mean, I've got no reason to say that the union is for or against Now, they're saying they're whatever. neutral. It sounds like, again, it gives me no reason not to.

I do believe that we need more representation on all of our governing boards by independent people, non-political neonle. non-elected officials. committee people, whatever. We need more of our business community. Our business community is hurting to be involved in how this city runs. And, let's face it, if the business community is not brought on board a little bit more than what they are, they're going to run out of the City of Pittsburgh. So, I think, we need reckon here whether we want a political Pittsburgh or do we want a functioning Pittsburgh. I want a functioning Pittsburgh. I want our businesses to stay. I want to feel that they are, indeed, part of the solution to many of our problems. It's called collaboration and I'm more than willing to start that type of agenda.

Now, as far as I can see in terms of the workers in April -- oh, let me first address in terms of an all white board, why didn't we talk about the fact that ALCOSAN has been an all white board for how many years? How many years has ALCOSAN been an all white, all male board? Why now? We're talking about it now. Wrong, okay. We should have talked about it years and years and years ago. I appreciate the issue being brought up, but again, it needed to have been brought up a long time ago.

Now, let's talk about the April 22nd correspondence from the union, from Local No. 433 to Councilman Udin in response to our request for a breakdown of race and gender in terms of employment. I'm not real pleased with the numbers. They're not horrible, but they're not encouraging as well. There are sixty-nine, according to April 22, 1996, there were sixty-nine maintenance positions; sixty-nine. Out of

that two were black male, one was black female. Doesn't sound like this current board, this current ALCOSAN board nor the union membership nor anybody who is in charge of ALCOSAN has done my people much of any good, okay. So, as far as I'm concerned I know Mr. Roddev and if he can move in the direction that I would like to see ALCOSAN move in, which is more fairness, more equity, I'm all for it. I am all for it. It wasn't until this year, 1996, with a little bit of change on the board that we even got a MBE/WBE/DBE Program on ALCOSAN, 1996. So, I would like to hear what in the world are the -- is the logic here in wanting to maintain status quo that, obviously, has not been fair, has not been equitable, has not been as far as I'm concerned equitable to African Americans, 13.3% altogether representation employment; all white male board. What do you want to perpetuate? What is it that you want to perpetuate? I want newness and when Mr. Ira Weiss' time expired, you doggone well better be sure I am going to hound somebody for an African American representation on the ALCOSAN Board.

But, as of right now if Jim Roddey is a joint appointment I'm all for it, because I know unlike maybe some other board members I have an open door and I'm going to be able to talk and I have some concerns that I know he is going to be able to address

The Chair:

Thank you. Councilman Cusick.

Mr. Cusick:

Yes, I believe in 1995, Councilwoman McDonald, I came to you and told you just those -- about the problem we had at ALCOSAN about African Americans not being hired. I believe, that I was the one that said that we need to hire more African Americans in ALCOSAN. Do you remember that conversation? I believe, I was one of the ones that pushed forward the MBE/WBE Programs down at ALCOSAN. So, there are Board members that do care about the African American community and I'm one of them. So, I take special exception to the comments that were just made.

I just want to make one final plea. I don't want this Council after recommended to be appointed to the Board of ALCOSAN. ask me to go down there as your representative. I tell this Council today it is the wrong thing to put Mr. Roddey on this Board at this time. Again, if Mr. Roddey wants to be placed on the Board he should wait until December when Mr. Ira Weiss is gone from the Board. I'm going to tell you why. It's not about privatizing the whole ALCOSAN as a whole, it's about piecemealing. Privatization would come in piecemeal. First, it's billing collection, next it would be whatever department. That's the way it's going to happen. I know what's going on. I hear the language down at ALCOSAN. I hear the talk. I know exactly what is going on. I'm asking you if you sent me down there to be your representative, I'm coming back with the message. Please don't have me back telling you, you made a mistake. I know it's the wrong thing to vote for Mr. Roddey at this time, I ask you, I beg of you, don't place Mr. Roddey on the Board at this time.

The Chair:

Other discussion? Councilman Hertzberg.

Mr. Hertzberg:

Thank you, Mr. President. This is a very difficult vote to cast. We can all sit here and speculate on what will happen at ALCOSAN if Mr. Roddey is appointed to the Board, if Mr. Roddey is not appointed to the Board, but that's just what it is. It's speculation. I don't have a crystal ball and I don't think anyone else in this room does. And, there have been so many different issues thrown out. So many different personalities have entered into discussion. It's really extremely confusing and I've done my best to try to sort it out. The discussions have ranged from issues of privatization to issues of political patronage. I've received calls and I've had meetings with a lot of people who I respect, and they've gone both ways. Some have urged me to vote and strongly against Mr. Roddev. Some have urged me very strongly to vote in his favor. The position of the Labor Union that represents the bulk of the workers at ALCOSAN is very important to me. They've given me no direction on it. I think, the easiest position, the easiest thing for me to do today is to vote, no, to Mr. Roddey. I think, that's a very easy vote to make. But, I don't think it's the right vote. And, you know, when it comes down to everything and trying to sort all the different issues out, all the different players out, who is right, who is wrong, who is telling the truth, who is not; at some point in time you've just got to go with what's in your heart, what's in your gut and what you feel is right.

I think, a vote for Mr. Roddey is the right vote and that's why I'm voting for him.

The Chair:

Thank you. Councilman O'Connor.

Mr. O'Connor:

I'm going to try to take another perspective a little bit. Actually, I'll tell you what, this is probably the toughest vote I've had in my five years in Council. Mainly, because I brought to the forefront ALCOSAN concerns about six months ago when we had a post agenda here and we brought all the ALCOSAN members here, because of the concern about privatization. which I shared with them. Also, Mr. Roddey is a longtime personal friend that I have a lot of respect for. As Mr. Cohen read off his many charitable deeds, I've actually sat on some of those with him and have the utmost respect for him.

I'm looking past iust appointment. He be put on in January with One of my problems is no problem. looking past Mr. Roddey, who will be the January appointment and that appointment is from the Commissioners. That is where I have a lot of concern. One of the names being thrown around is one of the persons who led the charge to sell our Water Authority that may have put us out of hot water for a couple of years, but next year we're going to face the reality of losing that money. I'm concerned about turning over the -- and Mr. Roddey is not the main player here. If we turnover control to the Commissioners, in their desperation for cash will they make the right or wrong moves? That's why I can't support this. I, certainly, would like to see him come on in January and if, as was brought up, if we want a consumer advocate or an African American to be the joint appointment, we should be looking at that as a joint appointment, because we have some say in The Mayor's Office and the Commissioners and Council. If we put Mr.

Roddey on today we have no say on the next appointment. That really concerns me and I'm very worried about what happens down the road even if it's not outright privatization.

The billing collection has been talked about to be subbed out. There's a lot of concerns I have. There's a lot of maneuvers that can be made similar to the Water Authority that we went through three years ago. So, I'm respectfully going to vote, no, at this time. And, my main concern is what is down the road, the long range plans. And, if you look at the ALCOSAN bills, they're the lowest, maybe the lowest in the country. And, our water bills if you haven't looked in the last three years have gone up over 30% and with another increase will go up to 40%. So, I'm very concerned. There is some problems and, I think, everyone has admitted it here. the ALCOSAN members. If it's getting a friend a truck driver's job, sure, that happens and I hope they have a better open enrollment for everyone and, then, work on that. But there are a lot of issues coming up and I hate to put all that control over onto the other side, the new Commissioners. because their track record this year has not been the greatest. It leaves a lot to be desired and I'm concerned about what will happen to the rate payers in the next couple years.

The Chair:

Other discussion? I just want to clarify a couple of points that have been made through my colleague, Councilman Cohen, and to some extent, Councilman Onorato. First of all, as far as any backroom deal making, the only backroom deal making and/or meetings that have taken place have been with selected union

leaders, Mr. Roddey, in particular, and the Mayor himself. That is the only backroom deal making and meetings that have been taking place. I have not participated or know about any meetings relative to comments you made earlier. So, if there is anything that can be characterized as either deal making or backroom or whatever, it's the activities of the Mayor and selected union leaders that are called to task and, basically, an intimidation campaign that's going on in the last week.

As far as odor control, there have been four specific activities initiated by the ALCOSAN Board and, I believe, this Act 537 Plan enumerates a number of points. Again, I raise the point that if there is a concern there, that we put an environmentalist on or somebody from the Brighton Heights community and the other individual, Mr. Horgan, is the staff representative of the Mayor. I don't really believe substantively he performs that function and role.

As far as competitive bidding, to my colleague Councilman Cohen, if you saw the KDKA news report the other night in relation to the proposal that Mr. Roddev had with prison health care of the County passed the deadline of competitive bidding, all of a sudden that competitive bidding, the letter was halted at the request of Mr. Roddev and his friends in Commissioner's Office so he would be allowed an opportunity to come back in the bidding process in order to submit a bid. So, I just wanted to clarify that point.

Mr. Cohen:

He withdrew from that process.

The Chair:

Well, that remains to be seen, because that's not what the KDKA report stated.

Mr. Cohen:

Well, he clearly withdrew from that process.

The Chair:

Well, we'll see. And, as far as -this will be the third time that I clarified this to you, Councilman Cohen, on this issue of privatizing. I made it clear that the ALCOSAN Board with or without Mr. Roddey, the issue is not an outright privatization of ALCOSAN, because I believe, politically that would not be obtainable from this City Council. However, there are any number of for profit or furthering private profit interests in the business and activities of ALCOSAN, which I commented on and those are issues that do not come back to this City Council Board in deference to comments made by yourself and Mr. Onorato.

And, I think, clearly if the union leadership is to be believed Mr. Roddey explicitly communicated to them his desire to privatize the billing and collections department within ALCOSAN.

As far as Mr. Katarincic being for or against, if you look at the morning Tribune Review article, I think, he is pretty explicitly stating that he is not in favor of privatization or whatever of the ALCOSAN. He is very concerned that the integrity of the public entity be maintained. At least, that's going by his comments today.

To my colleague, Councilwoman McDonald all due respect, to characterize Jim Roddey as independent and non-political is unfathomable to me in terms of that characterization. I could see based on my discussions with O'Neal who headed the Preventive Task Force, he sat at a meeting with him. You can pretty much review him as independent and non-political. He doesn't seem like anybody in City Hall including this Administration, but there is no way I could characterize Mr. Roddey that way.

If you're in favor of the appointment you're voting, aye. If you're opposed vote, no. If you're abstaining --

Mr. Udin:

Mr. President --

The Chair:

Excuse me, Councilman Udin.

Mr. Udin:

I want to get on the record regarding my position on this appointment. I first want to point out that my respect and support for the President against the unwarranted and undocumented attacks on his position and on him, his person by the media. I think, they were uncalled for and unjustified and regardless of whichever way the vote goes today, I think, that the President of Council should be defended against those kinds of unwarranted attacks and I'm one to step forward.

Secondly, I've been listening very closely over the last couple of weeks, primarily, for a reason to oppose the nomination of Mr. Roddey. And, for me,

the privatization issue was a reason to oppose it. It was a very strong and clear reason to oppose it.

I think, Mr. Roddey has effectively disposed of the privatization concern. I don't see how, after as clear in writing and on television he has so emphatically stated his promise not to privatize that, that will be a possibility. If it does, I think, that it will absolutely ruin his credibility in any other realm both private and public for the future. And, I don't think that he would do that.

I have some concerns about -- as you know my district is within the odor control zone of the ALCOSAN Plant and the odor control issues are very important to me. And, I did discuss with Mr. Roddey an odor control plan that is currently in place that has the respect and acknowledgement of a number of environmental groups which support this particular approach. And, I'm quite concerned, Mr. President, that some of the opponents of the Roddey nomination would move to weaken the odor control process that is currently in place. I'm very concerned about that.

I'm concerned about the notion of merging the Water Authority with ALCOSAN, PWSA. I also talked with Mr. Roddey about that. I think the ALCOSAN has a strong pension asset position. The PWSA has a weak one. ALCOSAN is being well managed; PWSA being merged with ALCOSAN will not necessarily strengthen ALCOSAN and I'm not sure that it will strengthen PWSA. So, the merging of the two is unclear to me. And, I have some real strong concerns about that as well.

What was critical for me, Mr. President, has been the decision of the union to move from opposition to

neutrality. Mr. Cusick indicated that he supports the majority of the rank and file. I was trying to listen for the voice of the majority of the rank and file, but as far as I can tell if the letter that I received this morning is correct, and I hope if it is not someone will soon make it known; I believe, that majority spoke and reversed their position in opposition. So, although, I maintain a high regard and a high respect for the position of the President and we usually find ourselves on the same side of most issues, I have to indicate my own personal reason this time that I do not have sufficient compelling reason to oppose this nomination. Thank you.

The Chair:

Thank you. Roll call vote.

AYES: NOES:

Mr. Cohen Mr.

Cusick

Mr. Hertzberg Mr.

O'Connor

Ms. McDonald Mr. Ferlo.

Pres't.

Mr. Onorato

Mr. Ricciardi

Mr. Udin

AYES: 6

NOES: 3

The Chair:

The appointment is confirmed.

Moving to the Presentation of Papers beginning with Councilman Udin,

Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you, Councilman Udin.

MR. UDIN PRESENTED:

No. 1125. Resolution providing for an Agreement or Agreements with a Consultant or Consultants for the design and implementation of City-Wide training programs for City employees and providing for the payment of the cost thereof not to exceed \$60,000.00.

AYES:

Mr. Cohen

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 8

NOES: 0

Also,

No. 1126. Resolution providing for an Agreement or Agreements with a laboratory or laboratories for professional services in connection with the administration and evaluation of laboratory testing for City of Pittsburgh employees, candidates for employment and promotion and providing for payment of the cost thereof, not to exceed \$23,000.00.

AYES:

NOES:

Mr. Cohen

O'Connor

Mr. Hertzberg

Ms. McDonald

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 8

NOES: 1

Mr.

Also,

No. 1128. Resolution amending Section 1 of Resolution No. 144, approved March 28, 1996, entitled, "Authorizing and directing the City Controller to create a special Trust Fund to be designated as the Copsmore Trust Fund (COPSTF) for the deposit of grant monies received form the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund for any and all expenses and salaries associated with the purchase of new/replacement computer supplies. equipment. software and/or equipment. communications design, development, programming and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems by adding maintenance, professional services, for a sum not toe exceed Two Million Sixty-Five Thousand Three Hundred One Dollars (\$2,065,301.00) payable from Code Account Copsmore Trust Fund (COPSTF), Index Code 261330).

AYES:

Mr. Cohen

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 8

NOES: 0

The Chair:

You have heard the reading and title of the bills. Is there any discussion? Hearing none, the bills are now ready for final action. All in favor of the passage of the bills will vote, aye, when your names are called and if you're opposed vote, no. Will the Clerk please call the roll?

The bills having received the legally required number of votes have been approved finally. Committee on Public Works, Water and Environmental Services, Councilman Ricciardi.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you, Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1053. Resolution vacating a portion of Tara Way between Bellefonte Street and Telegraph Way in the 7th Ward, 8th Council District of the City of Pittsburgh. Since Tara Way between Bellefonte Street and Telegraph Way is not needed for traffic circulating or any other public use, this Department has no objection to this vacation.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you. On this bill, colleagues, specifically, Mr. President and Mr. Cohen I did request the information regarding the assessment. I do apologize. I only requested it on Friday. I don't have it in my office. If anyone would like to recommit the bill, you know, I'll vote as a courtesy, but I believe, we should move it ahead. I believe, Ralph Kraszewski is a man of integrity and honesty and he was before us and he thought it was a correct assessment.

The Chair:

Just on that point. The issue was never with Director Kraszewski facilitating this transaction. He relies on some other branch of the bureaucracy. I'm going to, respectfully, vote no; not because I'm against the bill, but there's no way this property is valued at a couple hundred bucks. It's totally inconsistent with the other purchase price of properties in Shadyside.

Other discussion? Councilman Cohen, did you have anything?

Mr. Cohen:

I agree with you on the issue, Mr. President, in that I do think we do need to be in a meeting on the whole issue of assessments. And, it isn't Director Kraszewski. It's the Board of Assessments. I mean, the Real Estate Division, rather. But, I think, we should go ahead with this bill and, then, re-visit the issue at budget time.

The Chair:

Thank you. Any other discussion? The bill is now ready for final action. All in favor of the passage of the bill will vote, aye, when your names are called. If you're opposed vote, no. Will the Clerk please call the roll?

AYES:

NOES:

Mr. Cohen

Mr.

Udin

Mr. Hertzberg

Mr. Ferlo,

Pres't.

Ms. McDonald Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

AYES: 6

NOES: 2

The Chair:

The bill having received the legally required number of votes has been approved finally. Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you, Councilwoman.

MS. McDONALD PRESENTED:

No. 1148. Resolution providing for the filing of an Amendatory Application by the City of Pittsburgh with the United

States Department of Housing and Urban Development for a grant in connection with the Federated Stores/Fifth Avenue Garage UDAG Project and for certain related actions.

Also,

No. 1149. Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh providing for the implementation of the Federated Department Stores/Fifth Avenue Garage UDAG Project and providing for the payment of the costs thereof not to exceed \$5,000,000.00.

The Chair:

You've heard the reading and title of the bills. Is there any discussion? Hearing none, the bills are now ready for final — Councilman Hertzberg, excuse me.

Mr. Hertzberg:

I'd like my comments brought forward on Bills 1148 and 1149 regarding the UDAG grant in connection with the Federated Department Stores/Fifth Avenue Garage Project. I'd just, again, like to commend everyone that's been involved. We'll actually have another \$5 million in our capital funds as a result of this UDAG if it goes through and we have every reason to believe that the Federal Government will award this UDAG to us. It meets all of the qualifications. It's ready to go. We need it and I'm very thankful and happy to have it.

The Chair:

Thank you, any other discussion? Councilman O'Connor.

Mr. O'Connor:

My comments brought forward on those two bills.

The Chair:

Thank you. Hearing no other comments, roll call vote. If you're in favor of passage of the bill vote, aye; if you're opposed vote, no. Clerk, please call the roll.

AYES:

NOES:

Mr. Cohen

Mr.

O'Connor

Mr. Cusick

Mr. Hertzberg

Ms. McDonald

Mr. Onorato

Mr. Ricciardi Mr. Udin

Mr. Ferlo, Pres't.

AYES: 8

NOES: 1

The Chair:

The bills having received the legally required number of votes have been approved finally. Yes?

Mr. Cusick:

If there's no objection I'd like to have my yes vote on all bills that were --

The Chair:

Actually, there is an objection, because that's really a violative of the procedure. I know we did it once before, but the problem is if in the end if other

colleagues leave and there is a dispute about what the votes are, an individual has to be present for voting.

Mr. Cusick:

Very well.

The Chair:

Any other discussion? We usually allow it for the proclamations, because they're non-binding resolutions, but if it gets to be a hot and heavy issue later on in the meeting as in the case of the Civilian Review Board, technically, individuals I think legally would have to be present in voting on the issue, with all due respect.

Any other discussion?

Mr. Hertzberg:

On this topic, Mr. President?

The Chair:

On this topic the bills having received the legally required number of votes, including the editorial comments, have been proved. Councilman Hertzberg, did you have a point?

Mr. Hertzberg:

Yes. When is a vote a vote? How long do you have to change your vote? Because, I've seen members of Council vote, yes, and then within a minute or two later they say change my vote.

The Chair:

Well, excuse me --

Mr. Hertzberg:

When is your vote cast?

The Chair:

responding the was Councilman's request about casting votes for the rest of the meeting as he, obviously, has another meeting. I'm objecting to that at this point and I think we need to clarify that. We've allowed it in the case of the non-binding resolutions, the proclamations at the beginning of the meeting as a courtesy to our colleagues. But, legally not only under Robert's Rules of Order, but also under State statute, especially, on zoning bills and I can name a hundred different examples, colleagues must be present in voting on the bills.

Now, there is a parliamentary procedure spelled out in Robert's Rules of Order regarding a change of a vote after a vote has been taken. Mr. Ricciardi.

Mr. Ricciardi:

Maybe, I could respond to that, because I think that's very important, because it occurred last week. According to Robert's Rules of Order, once a colleague votes, he or she can change that vote without permission of the assembly under Mr. Mascio calls the roll, 7, 2, 6, 3. As soon as Mr. Mascio calls the roll of the vote, then, a person can only change their vote if the assembly agrees to it, which require the majority, right.

Mr. Udin:

However, Mr. President, if Mr. Cusick has to leave and he would like for me to cast his vote, I would be glad to do

so. I think, we should give the Councilman a proxy vote, at least.

The Chair:

Moving to Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you, Councilman Hertzberg and thank you, Councilman Ricciardi.

MR. HERTZBERG PRESENTED:

No. 1179. An Ordinance amending the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications, Section 425.07, Pittsburgh Cable Communications Advisory Committee, by allowing for a one month recess of the Cable Advisory Committee during the month of August.

The Chair:

You have heard the reading and title of the bill; is there any discussion? Hearing none, roll call vote.

AYES:

Mr. Cohen

Mr. Cusick

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor

Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 9

NOES: 0

The Chair:

The bill having received the legally required number of votes has been approved finally. Committee on Public Safety Services, Councilman Cohen, Chair.

Mr. Cohen:

Mr. President.

The Chair:

Thank you, Councilman Cohen.

MR. COHEN PRESENTED:

No. 397. An Ordinance supplementing the Pittsburgh Code Title One, Administrative, Article IX, Boards, commissions and Authorities, Chapter 171, to read Civilian Police Review Board, setting forth its composition, providing it with broad powers to investigate and study police policies and behaviors, and establishing its functions; all subject to certain terms and conditions.

AYES:

NOES:

Mr. Cohen

Mr.

Cusick

Ms. McDonald

Mr.

Hertzberg

Mr. Udin

Mr

O'Connor

Mr. Ferlo, Pres't.

Mr. Onorato Mr.

Ricciardi

AYES: 4

NOES: 5

Also,

NO. 1079. Resolution providing for an Agreement or Agreements with a consultant or consultants for professional training services at a cost not to exceed Twenty-two Thousand Dollars (\$22,000.00) and providing for the payment of the cost thereof.

AYES:

Mr. Cohen

Mr. Cusick

Mr. Hertzberg

Ms. McDonald

Mr. O'Connor Mr. Onorato

Mr. Ricciardi

Mr. Udin

Mr. Ferlo, Pres't.

AYES: 9

NOES: 0

The Chair:

You have heard the reading and title of the bills; is there any discussion?

Mr. Udin:

Mr. President.

The Chair:

Councilman Udin.

Mr. Udin:

Several months ago we introduced Bill 397 for Council consideration. The bill came after hundreds of thousands of dollars had been paid out by this Council as settlements for claims against police abuse. According to the records of the Solicitor, in 1991 \$140,000.00; 1992 \$177,000.00; in '93 \$33,000.00; in '94 \$6,000.00; in '95 \$36,000.00; in '96 \$197,400.00.

This bill came to Council for their consideration after hundreds of complaints came forward from citizens. Complaints of Complaints of excessive false arrests. force. Complaints of unnecessary violence. Complaints of profane verbal assaults. Complaints of racism, sexism homophobic assaults by certain police officers on the citizens of Pittsburgh. When the bill was introduced, Mr. President, the Fraternal Order of Police launched an immediate campaign of denial and intimidation. Unfortunately, our Mayor parroted some of the same denial rather than to provide the kind of unifying leadership, which was expected of him on Rather than unifying his election. leadership we got denial. Despite hundreds of thousands of tax dollars down the drain. Rather than unifying leadership from the Mayor we got denial despite statistics proving that most citizens' complaints when the police investigate themselves, most citizens' complaints go down the drain with our wasted tax dollars. Despite the common knowledge of the people that all too often certain police officers violate their sacred trust to uphold the law and hold themselves above the law.

I would bring to my colleagues attention even an experience from the Mayor himself printed in the Pittsburgh Post Gazette just a few years ago. In a Sunday edition in an article entitled, Tom

Murphy Has Been An Outsider Trying To Get In. The article goes on to talk about Tom Murphy and his history and his background. At a certain point it tells a story of an incident in which the Mayor was involved. It says he helped to start a Food Coop at a senior citizens highrise and received a Volunteer Award from President Gerald Ford. Life was smooth except for one hot day in June of 1975. The police report says "disorderly gang" of five white males were on the steps drinking at Perrysville and Wilson Street and that Tom Murphy was among them. " Wrong, Murphy says, he was driving his parents to the airport when he saw that police had stopped a group of youth who were under his care in a community program and were Murphy had been beating them up. working around his house much of that day and looked like "a burn off the streets" his wife recalled. When he asked the officer what was going on, the policeman "Tom, uttered an obscenity said I was under arrest and threw me against the wall, Murphy said". Mona, his wife, pleaded for his release. I said, Officer, my husband is in that paddy wagon and he was driving my in-laws to the airport and I don't drive and he's got to drive them to the airport or they'll miss their plane. Just then, Tom, starts yelling Mona says. They're pigs. they're fascists. And, the officer says that's it lady. He's not going anywhere." Post Gazette, 1993, April 25th, on the outside trying to get in.

I guess, our Mayor is in now and his position is quite changed, unfortunately. Throughout this whole process, Mr. Chairman, certain politicians have demonstrated utter disdain for the people of Pittsburgh. We have had seven public hearings, over 1,000 people in attendance, over 200 giving formal testimony. The

overwhelming majority of those in attendance and giving testimony; the overwhelming majority of those in attendance and giving testimony. The overwhelming majority support the legislation for citizens to review citizens complaints, overwhelming support.

There is a very large class action suit on the way down the pike, Mr. Chairman, which if not settled with substantial reform and change, which the Mayor has thus far seemed unable to pull together is going to cost the City far more than the hundreds of thousands of dollars that we read off earlier. This number continues to grow of the people who are trying to become either a part of this class action suit or to launch another class action suit, because the behavior of certain police officers goes unchanged. In one of those suits. Mr. President, a Federal judge recently had occasion to examine the City process for reviewing citizen complaint, the OPS. A brief comment on what the judge found, a Federal judge found regarding the City's process of OPS. On reviewing the records we find considerably more black complaints from which a reasonable jury could have found that the City's procedures are inadequate to protect civilians from police misuse of force. The judge goes on to say the OPS itself was structured to curtail disciplinary action and stifle investigations into the credibility of City police officers. Even if the complainant's witnesses were credible their testimony became inert of the OPS policy while at the same time police officers' statements appeared to have been given special favorable consideration. A jury readily could have found the Office of Professional Standards was nothing more than a facade to cover the violent behavioral patterns of police officers under investigation to

protect them from disciplinary action and, thereby, perpetuate the City's custom of acquiescing in the excessive force by its police officers. That's a finding of a Federal judge this year, Mr. President, in 1996.

In addition to that, the Justice Department has seen fit to raise the level of their investigation from an inquiry to a formal investigation of the systematic violation of citizens civil rights in the City of Pittsburgh by members of the City's Police Department. No compromise diversion, Mr. Hertzberg, will excuse Council members blowing off large segments of their own constituencies. The people of Northview Heights, Perry Hilltop, Brighton Heights and other parts of the Northside cry out for a Civilian Review Board. The people of Beltzhoover, Arlington Heights, Knoxville and other parts of the Southside cry out for a Civilian Review Board. The people of Broadhead Manor, Westgate Village, Fairywood cry out for a Civilian Review Board and Squirrel Hill Mr. President, it was largest turnout of any of the public hearings. They also cried out for a Civilian Review Board.

As I close, Mr. President, I want to again apologize to the Mayor and Council and the people of Philadelphia who sent two of their finest members of the Philadelphia Civilian Review Board to visit Pittsburgh. They came all that way to share their experience to debunk some of the distortions and the myths that have been floated by those who oppose the Civilian Review Board, to tell people of Pittsburgh what the real experience was Philadelphia and they received the most insulting and humiliating reception from this Mayor. The Mayor decided to pull the plug on the visitors from Philadelphia. To remove the cameras from the courtroom. I had a woman to call me from the Northside who said she had read in the paper that some people were going to be coming from Philadelphia and she was undecided on this question and she wanted to see what was the real experience of somebody who had really had this done. She's a disabled woman who waited on television, for television to come on and it never came on. I told her that she should call the Mayor. He's the one who decided that she didn't need to hear what the people from Philadelphia had to say. And, they claim, Mr. President, that they had the votes of five Council members against televising it. I'd like to know how that's possible. I have five signatures of Council members who supported it. Are there ten members on If they've got five Council or nine? members who oppose it, I'd like to know who they are. Somebody is lying.

At every turn, Mr. President, the people have told rather than receiving leadership, the people cannot be trusted. They cannot be trusted handling sitting on a Civilian Review Board. The people don't know what they're talking about at the public hearings. The people don't represent a large enough segment of my district. They don't need to hear representatives from Philadelphia. The people of this City are being denied at every turn in this process. Well soon, Mr. President, we will have yet one more opportunity to blow off the people of Pittsburgh, because there will be a resolution introduced if this vote goes down today putting the decision in the hands of the people. The people that we are sworn to represent and at the time we'll see what the new excuses will be for why the people should continue to be ignored. Thank you, Mr. President.

The Chair:

Thank you, Councilman. Other discussion? Councilman Cohen.

Mr. Cohen:

Thank you, Mr. President. I spoke at length last Wednesday on why I support a Civilian Review Board and I'd like my comments brought forward. My remarks will be brief today. When I announced my support for the Civilian Review Board three months ago, I did so because in cases of police abuse we need to be able to find the truth. And, in my view, after studying the investigative process and studying the whole disciplinary process for the City of Pittsburgh, I concluded that it was not the best system for finding the truth and, in fact, it was and is a flawed system.

In any cases before a court or before any judicial body and, certainly, in the case of police abuse, you can't attain justice without independence and objectivity. And, right now we do not have that. Improvements have been made since this issue was brought up by Councilman Udin. Some changes have been made, but we have not attained that point of having independence and objectivity. investigative unit for the City, the Office of Municipal Investigations, OMI, still has police investigating the police. There is an inherent conflict of interest there. There are not credibility determinations made. By that I mean when there's a -- in cases where it's a citizen said versus a police person said, police officer said, that case is usually thrown out and that shouldn't be the case. because in courts of law they make determinations of who is telling the truth and we should doing that in our system.

Moreover the person who is charged with reviewing the whole disciplinary process is the Solicitor for the City, which is a clear conflict of interest, because the Solicitor could be put in that strange position of being both the defender of and a witness in the case involving police abuse and that is not right.

We learned last week that the Civilian Review Board is a tried and true process. The people from Philadelphia who came including a Council member and a Chairperson of what they call the Police Advisory Board, said that it was a very effective process. That it didn't interfere with the management of the police force and that it helped to bring the community together. And, that's really in many ways the most important reason why I support the Civilian Review Board is because as was. certainly, clear in the public hearings that we had, the seven public hearings that we had and couldn't be clearer than in the case that exist right now in our court system and that is the Jonny Gammage case.

The racial divisions in our City are too great and I truly, truly believe that a Civilian Review Board would be a bridge to bring our community together and for that reason I support it. Thank you.

The Chair:

Thank you, Councilman.

Ms. McDonald:

I, likewise, will be brief because I think that most comments have already been stated. We've been round and round with this and this was in response to community concerns as well as police

reform. These are all in response to what the community feel is needed so that we can have better relations between the police and the community. It would help the City financially when we don't get sued so much. But, nevertheless, if this fails I'm going to be supporting continued efforts to put it in the hands of the public, because -and I don't really see -- you know, someone asked me do I feel there's going to be a problem with Council supporting a referendum? Why would there be a problem with any elected official who represents people to allow those people to make that decision? So, that is the question before Council now and that will be the question that I will put before Council when we discuss it; is do you really not want the citizens to actually have a full blown say in what happens? Because they had a full blown say in our even being here representing them. So, that will be the issue.

In the meantime, strategically, I would like to take what we do have. There has been a lot of criticism about the resolutions that were passed. supplements and modifications to our existing ordinances that Councilman Hertzberg presented and that this body did pass. It was stated it was milked down, it was diluted, well, maybe so. But, I think, that we need to continue with what we do have in the meantime of making it better, because a referendum is not going to be around until next year. It's going to be a while. So, in the meantime, this Council body needs to be about addressing the community to take what we do have and strengthen it.

I wholeheartedly ditto Councilman Cohen's remarks about OMI. I have repeatedly made the criticism it shouldn't be under the Solicitor's Office. It seems like a roadblock where the we hit Administration wants to keep it under the Solicitor's Office. In lieu of that let's find out what we can do to move around that mountain and still provide for the citizens a fair and impartial process in which they really are heard and not even just heard, in which something is done about what happens to citizens. I think, that's the bottom line. They're always heard, but nothing is ever done.

So, I will be about continuing efforts to strengthen what we do have and I look forward to another debate on this. Thank you.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Thank you. As a follow up to Councilwoman Valerie McDonald, I believe, that this Council has made great strides and improvements to our Police Department. I think, we've had a number of legislative reform measures that have been passed by this Council, seven by Valerie McDonald, one accreditation process that our police will take part in; several others put forth by Councilwoman McDonald cultural diversity training. regarding increased training to our police that has been also accepted by our Police Department. A number of legislative reforms put forward and passed by Councilman Hertzberg regarding, example, unlawful civil rights practices that I also voted for. I see great strides put forward by this Administration. A new professional Police Chief. very gentleman, a disciplinarian. A new

member and an expanded OPS Department, OMI, Office of Municipal Investigations under David Quaid, a person of high integrity and character. A person with experience. I believe, with over twenty years with the Federal Bureau of Investigations, the FBI. I don't see a need for this bureaucracy, which would be the Civilian Review Board. I think, it would be an expensive bureaucracy; one that will give their opinion, their advice. I don't see a need for it at this time.

I believe, our Police Department has much oversight from our supervisors to our Chief to the top person and that's Mayor Tom Murphy, who is a civilian, obviously. We have the ability for a Coroner's inquest, OMI investigation, the DA's Office, the Federal Courts. We have a number and so much oversight over our Police Department.

But, I'm going to end with this and it might not be popular with some people in the audience. But, I'm going to end with this. I think, it's an insult to say that police cannot investigate other police officers. If there is a shooting and if there is an officers our allegation. police professionals. Their reputation is on the line. Their integrity is on the line. Their character is on the line. They only know one way to do their work and that's one above reproach, one of honesty and one of getting to the facts. If the facts lead them in one direction, there is no way in my heart do. I believe, that they would divert those facts away from the truth and I'd like to end with that. Thank you.

The Chair:

Excuse me. Having been on many sides on different issues where the audience

have been in favor of me and opposed to me, I mean, we have to be respectful of all of our colleagues whether we agree or disagree with the comments whether it's Councilman Ferlo, Councilman Ricciardi or anybody else. This is not a court of law. We're not going to throw people out of here, because I've been thrown out of here and I'm not about to throw anybody else out of here. So, please let's try to be mindful. This is a difficult issue. We have principle disagreements about what the issue is all about and a different understanding of the issue and we're not going to resolve it with any catcalls or anything of the sort. So. whether you agree or disagree, please do not in any way boo or hiss or any other comments, otherwise, I will have to ask people to leave. Councilman Onorato.

Mr. Onorato:

Yes, thank you, Mr. President. I too will be voting against the Civilian Review Board and I'm going to explain why and I want my comments brought forward. I'm going to try to keep this real brief.

What I heard at the public hearings, all seven of them, was that there is a problem and there is a concern in the community. I did not hear a specific cry for this type of solution. I heard a cry for something to be done. If it's a reality or perception it's still a problem, but there's a problem out there in the way the City is operating. I believe, that everyone in every system can be improved. And, I believe, in my heart based on everything that I reviewed that Civilian Review Board will do nothing to solve the complaints that we heard out in the community.

I quote a lot of different cities throughout those debates and the two I have

in front of me today which are pretty diverse cities, one was Boston, and I have some facts here from Minneapolis. Boston went through this experience in 1992 where they formed a commission and they studied how can they improve the police review system. And, the commission first recommended a Civilian Review Board. The City looked at all the facts and decided to try something instead, which were internal changes to improve the citizen complaint system. Their big claim to fame was the improved tracking system so that they could weed out the so-called bad apples that we always talk about and to find out if they truly are just a very small number of them, which I believe there are. Some disagree with me here. But, the tracking system helped to weed it out and the proper discipline was taken against the appropriate officers that should have been disciplined. And, the numbers were staggering, the results, after a four year period of the changes or three year period depending on what particular category.

And, if I can just read a few to give you an example. This is in Boston again. Without a Civilian Review Board, but changing the internal system they had using a tracking system, the number of complaints dropped 52% between 1990 and 1994. In actual numbers that was dropped from 460 complaints down to 221. The number of lawsuits, which is critical because we had a lot of quotes about lawsuits and how much the City has been paying for claims of police misconduct. they were cut in half in one year after the new system was put in place and the proper discipline was handed out. The sustained rate of complaints actually increased from 6% in 1990 to over 22% in 1995. And, I can go on and on while I'm here, but I'm not going to do that. Where in Minneapolis, that city adopted a Civilian Review Board and the stats that came out of there after the adoption of the Civilian Review Board were that the status quo was maintained when it came to complaints. Meaning the number of lawsuits, the amount that were paid out, the amount that were sustained, nothing really changed. What happened is and if I can just quote the individual's name, Dr. Douglas Perez of the ICMA; that's a City and County Management Association out of Washington, D.C.; he was in full support of Civilian Review Board, is now the leading opponent against it. He realized that what happen was, initially, the competence in the perception of something that is done is good, but over a two to three year period it totally backfired. Because, no matter what we do here today the facts are going to speak for themselves. And, what happened in that city was after two or three years Civilian Review Board didn't go to the problem, which is discipline in getting the system to work. All it did is re-shuffle the deck of who was reviewing the complaints. I still believe that's the case here and that's not it.

What I see happening and I'm in full support of is; one, I want to see what the new Chief can do. I want to see what OMI can do. These are both, the Chief and OMI are very new. OMI is still half civilian, half police officers and I think we can re-visit this and look at the results in a year or two or three, whatever the period might be, to see if there are actually any changes from what it was like in '95, '94 and '93. And, we are going to have statistics in front of us to compare Pittsburgh to see if it has been effective. Stating that I'm just going to summarize, but I have to comment on one thing, because obviously, my name has been associated with it too.

The issue of the individuals coming from Philadelphia were brought in front of us several times before they were invited There was originally a memo of approval that was sent around on a Wednesday that, at least, five refused to sign and I made it very clear to Councilman Hertzberg at the time that if we're going to bring people in I want to bring in some people from the City that I've been talking with. And, the majority of us decided not to pay for anyone to come in. There was also, I think, some informal questioning if we could bring it to the table on a Wednesday. The majority said, no, to that also. You don't have to agree to it, but the majority said, no, to it so there was a post agenda. The issue of the signatures that were waived, I have them here too. There's only four Councilmen's signatures on there. The other one was signed by a staff person and it's very clear established law that a staff person cannot vote for a Council member and that's all I'm going to point out at this point. There was never a vote taken to televise or not to televise, but I wanted to clarify that point.

The Chair:

Well, let me respond to that, because I wanted to avoid having to discuss this issue of cablecasting. But, it's very clear the Administration, Mr. Sirabella the Deputy Mayor, as well as you with all due respect, Councilman Onorato, basically took advantage of the situation to ensure that the cameras came off and we did not get to cablecast the meeting. Let's be clear on the facts. We have cablecast meetings. A directive went from the City Clerk from me to Director Miskovich to cablecast the Wednesday meeting. That has been the case that I've always done in the last two years. And, in fact, even though some of

our colleagues were opposed to the Civilian Review including Mr. O'Connor, he had no objection necessarily the cablecasting of the Wednesday meeting. And, in fact, as you know I went to your office. I went to other offices and I stated I did not want to have an embarrassment or a fight on Wednesday. If colleagues were going to object to our guests being at the table, because of the Council rule we would have a separate meeting. That's the only reason why we changed the votes of the day around from a Wednesday post agenda to the Thursday voting, as well I was trying to bring some finality to the issue and that's why we scheduled the post agenda on Wednesday for a final vote on that Thursday at the Committee Session.

The Administration took advantage of the fact and knowing that two colleagues were at funerals and the like, conspired with at least one colleague here, yourself, to ensure that we did not get to cablecast the meeting. In fact, the majority of colleagues have no objection to cablecast the meeting. one; and two, even though, the Council rules say that five members always must be present that has not been the case for the last two years and I've been liberal on that and I have been asked by Director Miskovich at times to turn the cameras off. I said, no, even though it's a rule. The intent was there, the majority came and chairing the meeting it would inappropriate to turn off cameras in the middle of the post agenda. That has been true for several colleagues that are in front of me right now.

So, let's clarify and make clear of that point. So, I just want to clarify that point.

Mr. Onorato:

What's done most commonly, so I'll leave it at that.

The Chair:

Other discussion? Councilman Hertzberg.

Mr. Hertzberg:

I ask for my comments to be brought forward. I will be brief as this issue has been discussed at length and, I think, I've discussed almost every aspect of this. I'm voting, no. I think, that this legislation here for a purely advisory Civilian Review Board is not the solution to the problem. The legislation that I introduced and that I am thankful I had support for on this Council, I gave the Human Relations Commission the power to act, I believe, has a much greater chance of making change than a Civilian Review Board. The Human Relations Commission has over the years proven itself to be independent of anybody and any entity. It has its own Solicitor. It has the power to award money damages and to award Counsel fees or to enter orders that it can also enforce. For those reasons and the reasons that I've stated in the past I'm voting, no.

The Chair:

Thank you. Other comments and discussion? Councilman O'Connor.

Mr. O'Connor:

Just briefly, respectfully, I will be voting, no. I think, the police have a tough, maybe, impossible job and to solve the problem -- and I would like my comments

brought forward from last week. I've been out seeing and talking with them. I spend a lot of time on the streets. I think, the problem starts in the Mayor's Office. I think, it is his job to solve it. I don't believe he has done a very good job in the last three years of solving the problem, but we do have a new Chief and also we have a new President of the FOP. And, I think, speaking with both of them I would like to give them an opportunity to try to straighten out the problem.

And also, I've supported Mr. Hertzberg and Ms. McDonald's legislation that I think will take care -- take it into the twentieth century what we're doing there and what shocks me most -- it's one small item that I think will effect the management, if every year an officer has one or ten complaints, that they're erased every year, something like that. Right now there's no record. Their records are expunged whether they are coming in late or a disciplinary action, every year they have a new start. Like what Mr. Onorato just brought out in Boston, if nobody is watching and nobody is tracking things will get out of hand. Again, it goes back to a management problem. I look forward to the Mayor making a change for the better and I, certainly, will support the new Chief and the President of the FOP to correct these problems.

The Chair:

Thank you. Other discussion? Councilman Cusick.

Mr. Cusick:

I too will be voting, no, Mr. President. I think, most of it has already been said so I'm not going to belabor the

discussion. I think, I've heard from the vast majority of my constituency and, I think, I'm carrying that message by my no vote today. Thank you.

The Chair:

Other discussion? I'll try to be brief since I've spoken in the past, obviously. First of all, when it comes to fundamental police reform the Mayor, Mayor Murphy, reminds me of the eternal optimist who fell off a nine story building like this City-County Building and at each floor on the way down he yells down, all right so far. The fact of the matter is I don't think things are all right so far and there is a need for change. I am going to try to remove a lot of the emotionalism on this issue. There are four basic reasons why I supported the authoring of this measure and this proposal and why I still believe in my heart and will continue to fight whether it's Home Rule Charter or another elected political body in the future if I'm still here.

First of all, I think, the appointment of a Civilian Review Board will prevent future incidents of police misconduct and abuses of civil rights. That's the number one reason why I support this.

I also believe in my heart looking around the country where there have been such bodies established, I believe, that the amount of money needed to justify or satisfy legal judgments and settlements based on allegations of police misconduct will be reduced. I believe, in my heart that the establishment of this Board will promote public confidence in law enforcement across the board in every neighborhood of the City of Pittsburgh.

And, I believe, strongly that it's going to lessen the possibility of future incidence of urban unrest in the City of Pittsburgh. Because, we have a great city, but we have a problem in this City. I believe, race relations have deteriorated. In particular, I think, Mayor Murphy himself has contributed to that deterioration and, I believe, that support for civilian review measure will go a long way in improving relations among all of our community residents in every neighborhood in the City of Pittsburgh.

This is not some outrageous radical proposal. It is a seven member board two of which the members, two of whom the members must be law enforcement professionals. Two out of the seven. If some of my colleagues who are opposed to this were or had the opportunity to hear the delegation from Philadelphia, this bill has basically been modeled after the Philadelphia example and I think they have a glowing track record of their conduct there. And, this is not a radical proposal. This is not going to interfere with any police management or prerogatives and, in fact, it is a civilian independent review of any alleged incident with a report and recommendation to the Mayor and. specifically, to the Chief of Police. doesn't hand out or mete out any justice. It doesn't in any way instruct some officer to lose some benefit or any disciplinary action. It makes a review, independent with some level of confidence in the residents that there has truly been an independent review. And, it is to be a representative body demographically of the City and, I think, if we look at the composition of the Boards, at least, this Council has had some input in. they are broadly represented to including the Human Relations Commission and that's what this Civilian Review Board would be. It would also have the benefit of two law enforcement professionals on the board similar to the Philadelphia experience.

It is a relatively small budget administratively compared to the larger sum of money that we're paying out in settlements both past, present and possibly or potentially in the future. I mean, the Philadelphia budget and it's a bigger city many times the size administratively and budgetarily of Pittsburgh, I believe it was \$236,000.00 funding of administrative budget. I think, that was roughly the figure thrown out.

It's unfortunate this vote and let's lay it on the line, especially, for some of my colleagues as we come down to a vote has a FOP litmus test for loyalty. It has come down not to an actual critical review of the issues and what people are saving. Basically, for a couple of individuals it's come down in a nutshell to be a FOP loyalty test and that's unfortunate. Because. in my nine years in City Council I've always been a loyal supporter and always will be a loyal supporter not only of the FOP as a union representing the collective bargaining rights of the rank and file police. but I think, it's an important individual group that needs to be at the table on any policy issue in the City of Pittsburgh. And, I've done nothing but support rank and file police officers in my nine years of office. I've supported increase funding. I've been on the picket line in support of Federal wages and benefits. I've supported every trust fund in support of any administrative effort to get money from the Feds or U.S. Attorney or Pennsylvania Department of Justice for de-mapping system: upgrading the equipment, police cars, technology, equipment computers.

supported the COP implementation program. I, probably, spent more time than any other issue in my district, I spent more time other than making playground reconstruction, working on blockwatch organizing and getting citizens to work with police. So, for me it's nothing about a FOP loyalty test. I just don't agree with that and it's unfortunate that some politically it has come down to that.

Every progressive change that it seems that has to happen in this City, everybody has got to be brought kicking and dragging and screaming to the table when it comes to making change in this And, I go back as far as the town. formation -- I go back -- I try to have a long view on this, not only because I have some tenure on Council. I'm the last Council member at this table elected at large by the residents. I've been in office nine years and I have a track record of being active in the community for as many years before that and there was opposition to even having a Home Rule Charter in this city. There was tremendous opposition. But, probably, the largest amount of grassroots organizing was done by some very progressive people, Gabe Kish, Art Holloway, and names I can't even remember including Jimmy Cunningham from Pitt. And, there was a battle there and the battle the people eventually won out and we got the City Home Rule Charter and what we have today.

There was tremendous opposition to the old Council with the at large system versus District Council Representatives. But, it took a political battle among the grassroots. It took a legal battle in Federal Court and we're still paying that bill \$250,000.00. And, again, the system was reticent to change. It did not want to

change, I mean, you know again the system only changes with people kicking and being dragged down Grant Street in order to recognize that some reform and some change was desired on the part of a lot of people in this town.

And, I go back to the Weber order and the police hiring. Instead of the Administration and this Council taking the bull by the horns and saying, hey, we're not satisfied to have an all white male police department, we want a police department and a City workforce that representative of the City composition, gender, racially, you name it: change didn't happen. It took a Federal judge to impose the so-called Weber Order one, one, one, one hiring. Again, not making change you've got to make everybody come kicking dragging themselves down Grant Street in order to support any change.

And, we have the Bakke (phonetic) decision Councilman Udin read a little bit from it. The Third Circuit Court decision just a few months ago, which basically, is a clear condemnation of any appearance of independence on the part of oversight by the Mayor and the Administration in actually seriously giving citizen complaints any level of serious review and independent thought. And, it's a scathing indictment of the present administrative system and OPS/OMI.

And, it's unfortunate that even with the losing of the vote today that we will go back to the people with the Home Rule Charter resolutions. I would hope that Councilman Hertzberg, Councilman O'Connor, I spoke to you at the last meeting last week, you're in opposition today; I would ask that you would give consideration, however, to this issue of the

Home Rule Charter. In fact, it was a Committeeman and a Campaign Treasurer of our Councilman Hertzberg here who actually was the first citizen in the West End to make the proposal on the Home Rule Charter. I believe, that's Mr. Dixon.

For all of those reasons I support the need for the Ordinance today. And, it's not going to go away. The Mayor can turn off the TV and cameras here in City Council. but he's not going to shun the light on this issue and he, certainly, can run but he can't hide on this issue and we expect something different. It's going to be a political issue next year in the Mayor's race and I'm going to help make it a political issue, because people need to talk about this. If the Mayor can convince the majority residents that he has a handle on the situation and whatever he has done by way of administrative changes, hiring new police and other changes, if he can make that case to the people, I'll respect that. Let the people decide on that issue. But, I hope if others whether it's Mr. O'Connor who has indicated an interest in running for Mayor or possibly other candidates who have vet to emerge, I think, it's important that this be a political issue. Councilman Onorato and I disagree on the issue that is before us, but he himself stated let this issue be publicized. Let's have some discussion and discourse out in the community and let's let people be heard. But, in the time that I've been here other than, probably, the public hearing on a number of issues many years ago, no other issue has brought out more people across the board than this issue. I mean, we had several hundred residents races, colors, creeds, you name it, every demographic gender group, academic, uneducated, educated. I could give every description of those individuals testifying. including some who probably did not have good intent in testifying, there were, certainly, some individuals of that ilk, but the fact of the matter is uniformly across the board people have spoken out clearly about the need and support for a Civilian Police Review Board.

And, just one last parting shot. If the Mayor ever thinks he's going to shut my cameras off again, I'm going to let him know very clearly, I'm buying a camcorder and anytime those cameras go on off I'm going to have my staff people film the meeting and we'll put it on Channel 21 if we have to. And, it's not going to make some of my colleagues look too pretty, because it's going to be tacky and the lighting won't be good. And, if Deborah Miskovich thinks she can lock this light out, which gives us the actual light for cameras, I've already broke that open last week when we needed to film it and I'll break it open again.

But, having said all that, as my mother always told me live to fight another day. Any other discussion? Councilman Udin.

Mr. Udin:

Yes, I was willing, Mr. President, just to let the inevitable occur and let this vote proceed, but the record is important. People will be reading what happened here. And, there have been some things said in this debate that is trying to pass for some kind of rationalization to support people's vote against this act that I just want to speak to.

One, people talked about this being an expensive bureaucracy. I already read how much we have spent each year, hundreds and hundreds of thousands of dollars. What is more expensive than that? If we've spent, as the people in Philadelphia suggested, they spent \$200,000.00, \$250,000.00 on expenses to support their review board. What's larger, \$200,000.00 or \$2 million? What's more expensive? It's ridiculous.

People talk about the police can investigate the police? Would you put a fox in a hen house? The FBI Director of OMI has testified before this Council that whenever they have an issue that involves the FBI, whenever the Federal Government or the White House has an issue, there is an independent method of investigation. because an internal investigation has no integrity. We in the City of Pittsburgh have an Ethics Commission to investigate any accusations of impropriety by City officials. It's an independent investigation. absolutely absurd to talk about we should allow anybody to be the sole arbiter in investigations of themselves, especially, on the police force where we have seen quite well demonstrated, not only in Pittsburgh. but throughout the country the so-called Code of Silence where police officers are intimidated into being quiet when they see other things happening that they know is illegal and shouldn't be happening.

So, let's get rid of this notion that it's okay for the police to police themselves. It's not okay for anybody to police themselves. That's what external evaluation is all about.

Mention is made of Boston and Minneapolis as examples of review boards that justify opposition. Absolutely not. Boston has an internal review board just like Pittsburgh and that's the reason why they have had — Boston isn't even included among the cities that are listed as having

Civilian Review Boards. If you're going to use statistics to talk about what else has happened around the country, don't play with the statistics and misuse the statistics. There are seventy cities in this country that have Civilian Review Boards. So, don't point out Boston and Minneapolis and not talk about the rest of the cities that do have review boards. That's a misuse of statistics.

And finally, Mr. President, this notion of the bills introduced by Mr. Hertzberg. although, thev may improvements over what exist, please do not compare the Civilian Review Board with the Human Relations Commission. The first bill that Mr. Hertzberg introduced is a discrimination bill which gives the Human Relations Commission authority that they already have. Nothing changes. The second bill that he introduced provided for 50% police investigators and 50% civilian investigators in OMI. That already exist. That is not a step forward. That's the obvious. The independent investigation of shootings, they already have authority to do independent investigations of shootings. So, this is not a substitute for the police review board, this is an intent to hide your own lack of responsibility in implementing the people's will.

Quite frankly, Mr. President, I hope that colleagues who oppose the review board here continue to oppose it and continue to even oppose the referendum. Because, then, it will make us do the kind of work that we have to do to gather those 10,000 signatures on the petition and in the process of gathering those 10,000 signatures on those petitions we'll be doing the work of helping the people express their views on this issue. I am absolutely certain that the majority Pittsburghers know that a Civilian Review Board is necessary. And,

if the Mayor wants to hang his mayoral hat on it, then, so be it. And, if other Council colleagues want to hang their Council hats on it, so be it. I'm willing to hang my hat on it, let's take it to the people.

The Chair:

Thank you. Any other discussion? Hearing none, thank you for your comments. If you're in favor of the resolutions vote, aye. If you're opposed vote, no. The bill is Bill No. 397. It did have an affirmative recommendation from the Committee Session, so at this point, if you're in favor of the legislation vote, aye; if you're opposed vote, no. Will the Clerk please call the roll?

Bill 397 does not receive the majority vote and is defeated and the remaining bill is approved. Thank you. That concludes our reports of committee. Moving to motions and resolutions. Are there any matters to be brought before the body? Councilman Hertzberg and, then, Mr. O'Connor.

Mr. Hertzberg:

Thank you, Mr. President. I hate to talk about anything that's too optimistic here, but I will risk that. I just wanted to report on a ribbon cutting this morning in City Council District 2, ICF Kaiser Engineers Group. We cut the ribbon at the Gateway View Plaza this morning. Most Council members will recall the Gateway View Plaza is where we relocated a lot of City facilities in the early '90s when we had the asbestos remediation of the Public Safety Building. Well, this morning ICF Kaiser Engineers Group, which is an international engineering firm cut the ribbon there and as large as that building is

they are occupying three-fourths of the upper floor of that building. And, that's thousands and thousands of square feet. They've added sixty new engineers to their staff and in making that move we've retained them in the City and they've actually moved operations that were outside of this geographic area to that spot. So, that's great news not only for Council District 2, but for the entire City.

I'd also like to report on a road in Council District 2 known as Williams Street, which travels the very steep northern slope of Mt. Washington. Earlier this year the road was in deplorable horrible condition. The main problem being that drainage from the hillside had created ruts and holes throughout it. It became very difficult to travel and, then, finally the water drainage actually washed the soil away that was underneath the road. collapsed. The road was closed for. approximately, the last four months. I'm happy to report that this week it is The work that was done to reopened. remedy the problem was almost completely done by our City Department of Public Works and our City Department of Engineering and Construction. captured the water that had been causing the problem with new catch basins and a whole new storm water drainage system. They resurfaced the street and they put in new guardrails and I don't want to get too much traffic over there. It's not a. particularly, wide road but I would like to make everyone aware that that road is open and it appears to be in excellent condition.

The Chair:

Thank you, and I do note that the engineering firm is gladly willing to pay the business privilege tax and still move into

the City unlike Federated Investors. Any other discussion? Councilman O'Connor.

Mr. O'Connor:

Congratulations to Mr. Hertzberg on all the accomplishments in his district. I forgot I'd like to have Rule 8 on Bills No. 1195 and 1196. You've heard them.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Thanks.

The Chair:

Any other discussion? If not, thank you for your patience. This Legislative Session stands adjourned.

Council adjourned.

ADDENDUM

- Councilman Hertzberg and Councilman O'Connor -comments on Bill No. 1148, 1149 can be found in the Standing Committees Meeting minutes of October 16, 1996.
- Councilman Cohen, Hertzberg,O'Connor and Councilman Onorato comments -on Bill No. 397 can be found in the Standing Committees Meeting minutes of October 16, 1996.

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President LINDA M. JOHNSON-WASLER.....City Clerk JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, October 29, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Good morning to everybody. We have a lot of honored guess in the audience this morning. A special hello to our gold medallist, Mr. Kurt Angle, who's here today for a proclamation, welcome.

At this time, ladies and gentlemen would you all please rise for the Pledge of Allegiance and would you please remain sanding for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have a young student this morning. She's an honor student, her name is Glending Mason, she's 12 years old, she's in the seventh grade at the Homewood Montessori School, she's in Councilwoman Valerie McDonald's district, and she likes math. She's going to lead us in the pledge of allegiance.

Glending Mason:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. At this time, I'd like to call on Councilman Bob O'Connor to bring forward our special honored guests. Let's give this gentleman a big hand. He put the whole city on the map.

Mr. O'Connor:

As President Ferlo said, it's quite an honor to have you here on the behalf of all Councilmembers. You not only put the City of Pittsburgh and the whole region on the map, but I think the whole country, it made it a great summer and we're honored to have you here and it's my privilege to read this proclamation to you. After we're finished, I want you to tell us a little bit about the Olympics, and also some of the

things you're doing in the future. It's really an exciting time for you and for all of us in Pittsburgh.

MR. O'CONNOR PRESENTS:

No. 1229 WHEREAS, Kurt Angle was born on December 9, 1968, in Pittsburgh, Pennsylvania and with the love and support of his parents, David and Jackie and siblings, Mark, David, John, Eric and Lee'Anne, graduated from Mt. Lebanon High School in 1987 and went on to graduate from Clarion University of Pennsylvania with a Bachelor of Science Degree in Geography in 1992; and,

WHEREAS, at 6 feet - 220 pounds. Kurt Angle has established himself as an accomplished athlete by earning a PIAA Wrestling Championship, Junior National Heavyweight Freestyle Championship, State Freestyle Championship and Allstate Fullback and Linebacker, while at Mt. Lebanon High attending School. Since Clarion University, Kurt has won two NCAA Heavyweight Division Championships, four Eastern Wrestling League Championships, six U.S. National Titles, two World Titles, the Canadian Cup Gold and was the youngest member of the 1992 U.S. Olympic Team; and,

WHEREAS, Kurt Angle's above mentioned medals, titles and honors also include the 1996 Olympic Gold Medal in Freestyle Wrestling, an accomplishment that would not have been possible, if not for his dedication, work ethic and discipline; and,

WHEREAS, Kurt Angle's love and devotion to the City of Pittsburgh and continual involvement in the community, in part, as a Wrestling Camp Director, Coach and overall Role Model, has placed him in the hearts of all Pittsburghers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Kurt Angle on his accomplishments and wishes him the very best in all of his future endeavors; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 29, 1996, as "Kurt Angle Day" in the City of Pittsburgh.

The Chair:

Motion to approve. It's approved. It's unanimous.

Mr. Angle:

Thank you very much. My Olympic experience was something that I will never forget, and I hope that a lot of people in Pittsburgh won't either. I've had the time of my life this year. It's been a hard road, I've had a lot of ups and downs and lot of adversity, and I was able to overcome it thanks to God and thanks to my family and my friends and, of course, the people that supported me, especially Pittsburgh.

Down in Atlanta, I just thought it was the greatest experience to have it in the United States to be able to represent my country there. Like I said, it's something I'll never forget. My plans now are to speak to youngsters about my olympic experiences and, basically, motivate them to do the same as what I did because the things that I've done wouldn't have been possible if it wasn't for my

family and that's what I'm trying to instill in youngsters is to go after your dreams and to never quit and never give up. It's something I believe in and, hopefully, I can help someone along the line do the same thing as me if not more. Thanks again and God Bless.

The Chair:

Thank you and congratulations. Thank you more for your great work.

We also have a number of other guests in the audience this morning, especially our own police force, the men and women in the blue. At this time, I'd like to call Councilman Cusick to come forward.

Mr. Cusick:

Will our honored guests please come forward, members of the Pittsburgh Police Department and your families?

MR. CUSICK PRESENTS:

No. 1230 WHEREAS, the City of Pittsburgh Police Departments is among the finest Departments in the United States of America; and,

WHEREAS, from time to time there are those City of Pittsburgh police officers who through their normal course of their jobs are thrust into a situation where they are asked to go far and beyond the call of duty; and,

WHEREAS, despite negative publicity and the thankless nature of the job, there are those officers that rise to the occasion and meet the challenges that sometimes requires them to risk life and

limb in order to protect the life and property of the citizens of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby recognizes, honor and commends the following Pittsburgh Police Officers: Thomas Andrzejczak, Richard Hart, Michael Metzger, Bradley Walker. Glen Cummins, Gary Carter, Sgt. Daniel Schwab, Louis Caporali, Steven Schueler, Joseph Reiff, Robert Roth, Gary Vener, Henry Wilson, Anthony Cortopassi, Angela Garrett, Louis Frank, Nicholas Uva, William Terrell, Joseph Tongel, and Nickolas Savage; for their efforts, actions and good deeds to protect the citizens of the City of Pittsburgh and make Pittsburgh an even safer and better place to live.

Mr. O'Connor moved to adopt the resolution.

Mr. Udin seconded the motion.

Which motion prevailed.

Mr. Cusick:

Before I say anything, I would just like to have you join in with me congratulating the men and women that are before us today.

I don't know the story behind each and everyone of these individuals that we are honoring here today, but I can tell you that, I think I don't have to tell many of you, the hard work that these police officers put in each and every day. I've asked all of Council to co-sponsor this along with my colleague Mr. Cohen. I'd like to ask Mr. Cohen to come up and say a few words since he is the chair of the

Public Safety Committee. After that, we will allow one of you all to tell us a story of how you're being commended this week by not only this body but by the Mayor's Office. Councilman Cohen.

Mr. Cohen:

Thank you Councilman. honor to speak to this today. It has been many years since we had a presentation for police officers who have gone above and beyond the call of duty and that's what these police officers have done. In many ways, we should be honoring every single officer in the police bureau because of the hard work that they do everyday. But, the officers who are here today and some of the others. I think there are 20 some today and, then, there were three groups of 20 some, I think 67 in all. They went through a pretty rigorous selection process. There was a committee that former Acting Chief Volter headed up and, of course, Chief McNeilly was very involved with where they looked at particular incidence and found the ones where there was bravery or heroism involvement and these officers made the cut. They received letters of accommodation or other medals of valor. I think that it's fantastic that the Mayor and the Chief of Police and Councilman Cusick and myself and all of Council have recognized these officers and I hope that this is the beginning of a long trend of presenting these accommodations publicly because these officers, as I said, went above and beyond the call of duty, showed courage in the line of duty and really deserve these presentations and these awards.

Congratulations to those who are here today. Also, to your families. I see some family members here like the

children. As difficult a job as it is, it makes it easier to have a strong support system. So, thank you also for coming here today. Congratulations.

Mr. Cusick:

Thank you Councilman Cohen. Is there someone here from the Chief's Office? I know that they are very proud of these officers. If there is, we'd like to here from them. At this time, I going to ask Police Officer Nicholas Savage to come up and tell us a story. His partner is Joseph Tongel, but Joe said he wasn't going to tell a story that's why he has a partner.

Mr. Savage:

Thank you. It's a great honor to be here and I thank all of you for recognizing some of the some of the Pittsburgh Police Officers here. I think it's long overdue. I think oftentimes their actions and things that they do really go unnoticed. I know lately we've taken kind of a beating from the news media and everybody and it's nice that some of this is brought to attention because so oftentimes you really don't see behind the scenes the everyday things that happens that these police officers go through to make this City safer for you, for me, for my family and for everybody.

My partner and I had the opportunity to work on a case where over at Peabody High School they were being harassed by a man who was exposing himself and he was doing this over a repeated period of time and he was becoming more aggressive and he was starting to harass young women. Everyone knew who he was and we could never find him. After working with the

school and with the kids and through Dr. Dunmire, one of Principals over there, my partner and I were able to sit and wait and watch and we were able to apprehend this individual. Police work is more than that. It's not just making arrest. It's being involved in your community. It's going beyond just putting handcuffs on somebody.

We were very fortunate to work with the people at Peabody. They wanted this problem resolved. We were able to accomplish that by making an arrest. At the same time, we also got to know a lot of people over there. We got to know a lot of young ladies. We were able to go into their house to talk to them, to counsel them and to let them know that we are here for them, that the Pittsburgh Police do care. Because of that, we're very fortunate, the city is very fortunate and for that I thank you.

Mr. Cusick:

Would anybody else like to say a few words?

Mr. Hart:

Again, I would like to thank everybody for this selection process. My partner and I, Officer Andrzejczak, responded to a domestic violence call. On an average day or a night shift, we get maybe three or four of these so it gets to be sort of routine. On this night we responded, it was on Perrysville Avenue on the North Side. There was a high-rise of steps going upto the house. As we were halfway up, we noticed that the first floor was engulfed in flames, so the only entrance to the first floor was through the back door. As we got to the back door, the

door was locked and there was a gentleman inside who wouldn't let us in.

Officer Andrzejczak and I had to force entry into the house. Once inside, we had to fight the individual because he didn't want to leave. At that time, it was getting pretty hot inside. We arrested him and got him outside. We asked him who was he fighting with. At that time, we told us there was another individual who was in the basement of the house. We had to go back inside and get him. He didn't want to leave the building either. We had to fight him out of the basement and get him outside.

Both of those individuals were arrested and, then, there were family members of these two individuals who lived on the second and third floor who weren't quite aware that there was a fire on the first floor. We got those individuals all out.

The funny thing about this story is, after the fire was put out, the firemen were there. They were all about ready to leave and one fireman came from in the first floor and he pulled a dog out from underneath the bed who was still alive and they brought him out to safety also. That's it. Thank you again.

Mr. Cusick:

Again, we'd like to thank you and I am going to ask each of the zones or whatever department you may be with inside the police department to hang a plaque proudly of all your accomplishments. We thank you again.

The Chair:

Councilman Udin.

Mr. Udin:

I would like to join Councilman Cusick and Councilman Cohen in congratulating these officers and through this event to express my appreciation for all of the police officers who protect this city.

During the debate around the Civilian Review Board and other issues of police reform, etc., because of the nature of the debate, we don't often get an opportunity to express the gratitude that we have about the work that you do. You have the most difficult and dangerous job, I think, in the City. It's a job that many of us would not do and could not do. Because of the work that you do, we and our families are able to sleep safer at night. We really do appreciate the work that you do despite what may be said in the heat of the debates of police reform. Thank you and keep doing a good job.

Mr. Cusick:

Finally, I just want to let everyone know that this is sponsored by myself and Councilman Cohen with co-sponsors of all the Council. We all do appreciate what you do each and everyday. We thank you.

The Chair:

Thank you all very much. I think also that we should encourage that a similar ceremony happen at the various Zone Safety Council Meetings that's at the grass roots level. I think the officers comments about the need for a community oriented policing and working in the community cooperatively is very

important. I would urge that our Chief, working with our Zone Safety Council Presidents also, recognize the good deeds week and all the different officers from the various zones.

Mr. Cusick:

Councilman Ferlo, over the next three weeks, we will have approximately 75 officers that have some type of accomplishments within their zone. We'll be having them come in and also thanking them for their service. Thank you.

The Chair:

Very good. I do want to recognize our State Representative, the Honorable Don Walko, also who's in the audience this morning. At this time, I will call on Councilman Hertzberg.

Mr. Hertzberg:

State Representative Walko, if you would come forward, please. This is a resolution of Council that I thank all of Council for reviewing and agreeing to cosponsor with me. It's regarding legislation that Don Walko authored in Harrisburg and he's been joined by the entire City of Pittsburgh delegation in Harrisburg in authoring this legislation. I'll read it and I'll let Don expound on it a little bit.

MR. HERTZBERG PRESENTS:

No. 1231 WHEREAS, most homeowners and building owners in the City of Pittsburgh maintain the physical condition of their properties with great pride; and

WHEREAS, proud Pittsburgh property owners and community groups have, at times, been frustrated when a neighbor does not maintain their home or building; and

WHEREAS, unmaintained property in an urban environment has the unfortunate propensity to spread throughout a neighborhood like a contagious illness; and

WHEREAS, the Pennsylvania House of Representatives Committee on Urban Affairs has held public hearings in Pittsburgh and elsewhere on blighted properties and potential remedies; and

WHEREAS, individuals and community groups believe that if they have standing to initiate court proceedings in Pittsburgh Magistrates Courts, this would be an additional tool to use in the fight against urban blight; and

WHEREAS, General Assembly of Pennsylvania House Bill No. 2892 of 1996. introduced by House Representatives members Walko, Pistella, Itkin, Readshaw. Preston. Robinson, Petrone and Cowell, proposes to add to Pittsburgh Magistrates Court jurisdiction of "private filings of civil actions in equity to compel compliance or in law for damages...by community groups and individuals"; and

WHEREAS, all 9 members of Pittsburgh City Council strongly urge the General Assembly of Pennsylvania and the Governor of Pennsylvania, Tom Ridge, to enact House Bill No. 2892 of 1996 into law; and

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk shall send copies of this Resolution to the Pennsylvania General Assembly for circulation among all members, and to Governor Tom Ridge.

Mr. Cohen moved to adopt the resolution.

Mr. Cusick seconded the motion

Which motion prevailed.

Mr. Walko:

Thank you very much Councilman Hertzberg and Mr. President and other members of Council. First of all, I'd like to say that there have been great inroads made in the City of Pittsburgh regarding the removal of blight. My own Councilman, Dan Onorato, has been a fierce fighter and in many instances has helped nearby where my office on the North Side is to make it a better place, a better community, but I thought more could be done.

This measure, House Bill No. 2892, would allow individuals and community groups to file civil actions in Pittsburgh Magistrates Courts to force property owners to comply with property maintenance ordinances. Individuals and community groups could also seek compensation for harm which results from this blight influence such as loss of property value.

I want to point out one thing. There was a lot of input into this and this is only the beginning of a series of pieces of legislation. First of all, Councilman Hertzberg and Councilman Onorato did testify at the hearing. Perhaps, more

importantly, Magistrate Irene Magloggin did and she is the Housing Court Magistrate. I would want to quote from Magistrate Magloggin. She said that "by state law only agents of the City can file in Housing Court. Obviously, the number of city employees and city resources are dwindling, so the effectiveness of enforcement has had to be reduced. My suggestion is that you may dramatically improve the condition of urban blight and empowered property residents that are victims of blight by allowing for a private right of action in a court like the Housing Court." So, that's exactly what we did.

Your help is very important members of Council because a few of the representatives, particularly, the republicans who sit on my committee indicated they'd like to know how you feel. So, this resolution will be taken to Harrisburg. I will communicate with all of my colleagues and I believe it will be a substantial help in getting this, another little piece of the pie, together to help make our city a better place.

I'm really appreciative that I would have the opportunity to come here today. Thank you for your support. I hope that in the future all of us as legislatures and all of you as legislatures for the City of Pittsburgh or Councilmembers could get together and share information on matters of common interest. Not by way of snubbing the Administration who does a fine job in lobbying Harrisburg, but by of opening up our understanding of your concerns and that we can do the same, you could understand our concerns as State Legislatures a little better. I thank you very much.

The Chair:

Councilman Onorato.

Mr. Onorato:

I think you pointed it out. First of all, I want to thank Representative Walko. You pointed out that Don Walko actually brought the hearings to Pittsburgh. A lot of times we criticize Harrisburg because it's too far away, three and a half hours, and they're out of touch with the problems Every since he's been elected, Representative Walko has been very supportive of the urban needs that I'm constantly screaming about. I wanted to personally thank him because it made it very easy to walk across the street to the Court House to testify. Don knows as well as any of us here what absentee landlords can do to the neighborhood and that we can't do much as municipality unless the states gives us the tool. He's leading the charge up there and we really do appreciate it. Thank you Don.

The Chair:

Thank you all very much. Councilwoman McDonald I believe you have a number of guests in the audience today.

Ms. McDonald:

Would all representatives of the Womanpower 1996 please come forward? I'll just read the resolution because I do believe that it speaks for itself and all that fan fair that was going on -- this award, the Cecil Springer Award, is for that of excellence. I noticed that we had one typo. That's all it was, it's just the "e" didn't get on there and I'm like please fix

that "e" up because it is suppose to be excellence, so thank you Tawanda.

MS. MCDONALD PRESENTS:

No. 1232 WHEREAS. Womanpower 1996 is to be held November 15 and 16 at the Pittsburgh Marriot. For nine years, Renaissance **Publications** has sponsored Seminar Womanpower for African-American Women. share their to experiences and expertise with each other: and

WHEREAS, on Friday, November 15, 1996, Dr. JoAnne E. Burley will receive the 1996 Cecile M. Springer Womanpower Award for her accomplishments and commitment to excellence; and

WHEREAS, Dr. Burley is the Campus Executive Officer at the McKeesport Campus of the Penn State University. She has served as a consultant and trainer and has authored many publications. Dr. Burley is credited with developing the Chatham College Adult Literacy Program; and

WHEREAS, the Cecil M. Springer Award serves as a remembrance of what African-Americans, when given the opportunity, bring to the table. Ms. Springer held a top level position in a time when women, much less African-Americans, were considered only for midlevel positions. She had broken the glass ceiling long before many of us even talked about it; and

WHEREAS, the Honorary Chairperson of Womanpower 1996 is KDKA-TV's Lynn Hayes Freeland and the Keynote Speaker is Attorney Denise Motley-Brownlee, Director of the Governor's Office of Affirmative Action. This event is only possible through the diligent planning of the Steering Committee Members who have worked to ensure a quality weekend rich with culture and camaraderie.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the organizers of Womanpower 1996 as they act as a driving force within the community and joins in honoring Dr. Joanne E. Burley, recipient of the Cecile M. Springer Womanpower Award.

Mr. Udin moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

Ms. McDonald:

Again, it is always with great pleasure and with honor that I would present this resolution to the members of Womanpower, I guess it was '95 last year. it's '96 this year and I think it's going to get bigger and better each and every year. I, particularly, commend and will present this resolution to Connie Portus another African-American woman who, again, broke ground. As much as she always has her Trailblazer Awards ceremony, I believe it's in March of every year, at the Carnegie. It's a beautiful event, well attended, everyone looks elegant, she is a Trailblazer. I don't know of too many African-American woman within this region that has done as much as she has. Not only in terms of the media. To have a free newspaper every week that I diligently look for because I need to know what the news is, I need to know what events are happening. But, also to be involved in so many initiatives. To me, Connie, you are a Trailblazer yourself as well as all these members here of this Steering Committee. Again, it is with great pleasure that I represent this resolution to you. Thank you.

Ms. Portus:

On behalf of the Steering Committee for Womanpower 1996, we really appreciate this resolution. We do have three of our Steering Committee members here today, Laura Hunt, Donna Smith and Helena Hughes. I would like to say that all of the women involved in Womanpower represent what happens when African-American woman. particular, are given the opportunity to achieve in the workplace. I think that they represent excellence in our community and they represent what happens when corporations recognize that diversity is the only way to be successful.

I'm really pleased this morning because there are so many young people in the audience. A lot of young African-American men and women. I would like to say to you that these are your role models. These are people that you should strive to be like. These are people that are welling to reach out to you and welling to help you. We need to know more about these women and through our newspaper, Renaissance News, we try to bring you the good news about women in the market place and about African-Americans and how we can be and contribute when we set our goals and our aspirations high enough and strive for them. Thank you.

I have to say that our Steller Role Model is Councilwoman Valerie McDonald.

The Chair:

Councilman Udin.

Mr. Udin:

I want to add my congratulations to Connie Portus and the Womanpower Workshop. I've been a participant at the Workshop, most of them. I should add that it is not just a workshop for woman, it is very informative for men and empowering for men as well. Congratulations and keep up the work.

The Chair:

Councilwoman McDonald, I believe you have one to be read into the record.

PRESENTATIONS

MS. MCDONALD PRESENTED

No. 1233 WHEREAS, on Saturday, October 26, 1996 the War Heroes Veterans Society of Allegheny County will hold a memorial service honoring First Sergeant Alexander Kelly of the 6th United Stated States Colored Troops and First Sergeant James Bronson of the 5th United States colored Troops; and

WHEREAS, the memorial ceremony, chaired by William Reynolds, will consists of a special monument unveiling. The monument is a plaque to be located near the Penn Mall Station of the Martin Luther King, Jr. East Busway.

It will be inscribed with the names of First Sergeant Kelly and First Sergeant Bronson. The keynote speaker is Richard Orr, National Senior Vice Commander-in-Chief of Sons of Union Veterans of the Civil War; and

WHEREAS, First Sergeant Alexander Kelly is recognized for gallantly seizing the colors, which had fallen near enemy lines, raising them and rallying the men at a time of confusion and in a place of great danger. First Sergeant James Bronson is recognized for taking command of his company and bravely leading it after all the officers had been killed or wounded; and

WHEREAS, the War Heroes Veterans Society of Allegheny County has been established to honor and recognize war heroes from the County. The Veterans Society is an outstanding example of "giving honor where honor is due" to the numerous war heroes of Allegheny County that would otherwise be nameless.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the War Heroes Veterans Society of Allegheny County for recognizing area Veterans and joins the Society as it honors First Sergeant Kelly and First Sergeant Bronson.

Mr. Udin moved to adopt the resolution.

Mr. Cusick seconded the motion

Which motion prevailed.

The Chair:

Councilman O'Connor, I believe you have two to be read into the record.

MR. O'CONNOR PRESENTED

No. 1234 WHEREAS, Sally Margaret Field was born on November 6, 1946, in Pasadena, California; graduating from Birmingham High School and Valley State College. She was studied acting at Columbia Pictures Actors' Workshop, David Craig's Course in Musical-Comedy Auditions and the Actors Studio; and

WHEREAS, Sally Field's career began with television roles as "Gidget" in 1965 and Bonnie in "Hey, Landlord" in 1966; since her film debut in "The Way West" in 1967, Ms. Field has appeared in such impressive work as "Steel Magnolias", "Forrest Gump" and "Mrs. Doubtfire", winning two Best Actress Oscars for "Norma Rae" in 1979 and "Places in the Heart" in 1984; and

WHEREAS, Sally Field has also earned an Emmy for Best Actress (1976-77), a Best Actress Award from the Cannes Film Festival (1979), a National Society of Film Critics Award (1979), a New York Film Critics Circle Award (1979), two Golden Globe Awards (1979, 1980), a Best Actress Award from the National Board of Review (1979), and a Star of the Year from the National Association of Theatre Owners (1981); and

WHEREAS, Sally Field formed Fogwood Films in 1981, producing such successes as "Murphy's Romance" (1985), "Dying Young" (1991), "A Woman of Independence Means" (1995) and her directorial debut, "The Christmas Tree" (1966).

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends Sally Field on here acclaim and decorated career; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby thank Sally Field, Fogwood Films and Disney Pictures for their interest and subsequent location shooting in the Western Pennsylvania area and declares Tuesday, October 22, 1996, "Sally Field Day" in the City of Pittsburgh.

Also,

No. 1235 WHEREAS, on Friday, November 1, 1996 the Salvation Army Northside celebrates 100 years of serving those in need; and

WHEREAS, the Salvation Army Northside opened its does to the public in November of 1896 providing those in need with a kind word, a hot meal, and a ray of hope; and

WHEREAS, the Salvation Army exists to serve those in need by providing many services to the community such as:

- establishment of a counseling program for children at risk
- provided family counseling to the surviving families of flight 427
- created a day shelter program
- established the first monthly homeless providers meeting
- organized and hosted a City-wide homeless picnic for the past 7 years
- testified before the United States Congress on the plight of homelessness in Pittsburgh

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Salvation Army North Side on its Centennial Anniversary and commends them for serving so many in needs.

Also,

No. 1236 WHEREAS, Ray Zellars is the son of Mr. and Mrs. Ray Zellars and was born and raised on the Northside, where his parents still reside, and attended David B. Oliver High School from which he graduated in 1991; and

WHEREAS, Ray Zellars was a 4 year honor roll student in the Scholar's Program at Oliver High School; and

WHEREAS, Ray Zellars was a 4 year starter on the Oliver football team, where he was honored by being named to the "All City" and "All State" Teams, and was selected to play in the "Big 33" All-Star Game representing the State of Pennsylvania, which also being a 4 year letter winner in Track and a 2 year letter winner in Wrestling; and

WHEREAS, Ray Zellars was awarded an athletic scholarship to play running back at the University of Notre Dame where he played for 4 years, and was drafted to the New Orleans Saints in the 1995 NFL Draft; and

WHEREAS, Oliver High School is honoring Ray Zellars at the 1996 Homecoming and Senior Recognition Night on Thursday, October 24, 1996, by retiring his jersey; NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Ray Zellars for the hard work and perseverance which has allowed him to attain a dream of any young man who has played high school and college football, and wishes him the best of luck with his career in the National Football League.

Mr. Ricciardi moved to adopt the resolution.

Ms. McDonald seconded the motion.

Which motion prevailed.

The Chair:

Councilman Udin.

Mr. Udin:

Thank you Mr. President. If we would have all the representatives of the Health Education Center to please come All of the representatives. Ladies and gentlemen there's something very special going on in Pittsburgh. It's being organized by the HEC (Health Education Center). The HEC is an affiliated of Blue Cross and they are preventious. They're the ones who do the work that makes it unnecessary for us to have to allocate programs and dollars to try to correct problems after they start. They've done something and are doing something that is very significant. They are able to bring children together from all different parts of the city and from different so-called turfs and hoods, from different schools, from different economic groups, from different points of view and engage them together in problem solving methods where the children themselves confront each other, provides support to each other, provide problem solving skills and methods to each other and reach across the boundaries and find the things that they have in common and how they can improve their lives rather than how they can destroy each other. In this day and age, that is a very significant achievement.

In addition to that, much like music has a way of making us universal citizens, they have found that art also has a way of making us universal citizens. They have joined together with Dominick Pagniello, a local artist of national renown. He has engaged the children in artistic endeavors that were able to tap into talents that even they didn't realize they had.

The art that you're going to see this morning is art that has been produced by these children as their expression of diversity and the unity of diversity that brings us together and it makes us one common human community. I was so struck by the talent and skill that was demonstrated for children who had no formal art training but who really just came together and brought the creativeness out of the depths of themselves. It speaks to the commitment and skill and dedication of Cynthia Griffin who heads the project as well as Dominick Pagniello. I'd like to read this proclamation and, then, ask Cynthia to introduce anyone else who needs to be introduced and Dominick to show us the art that the children produce.

MR. UDIN PRESENTS:

No. 1237 WHEREAS, the Health Education Center (HEC), an affiliate of Blue Cross of Western Pennsylvania and a member agency of the United Way, is acknowledged a leader both locally and nationally in health education and health promotion programs; and.

WHEREAS, HEC implements health education campaigns to improve health-related behavior and reduce the risk of disease along with programs that foster self-responsibility for health, particularly among low-income minority residents and the elderly; and,

WHEREAS, in a single year HEC has delivered programs on health promotion and disease prevention to over 500,000 area residents in a single year; and.

WHEREAS, the Health Education Center, with the support of Blue Cross of Western Pennsylvania, takes a strong stance against youth violence by providing positive programming and training. Research has demonstrated that by providing organized activities which systematically reinforce and increase positive behavior, youth violence can be reduced; and.

WHEREAS, the Neighborhood Peacemakers of Partnerships-in-Prevention of Violence, under the direction of Cynthia E. Griffin, identified three teens from several areas including the Hill District. Heights, Fairywood Arlington Homewood Brushton to participate in leadership training. These teens, then, returned to their communities and recruited ten more children to participate in peer mentoring and conflict resolution The barriers came tumbling training. down, and they realized how much they all had in common; and,

WHEREAS, Artist Dominick Pagniello has been responsible for guiding the artistic impulses of the participants into a mural with the them, "Yes, We Dream Too!" Scenes depicting the concept of diversity are colorfully displayed on four large canvases; and,

WHEREAS, agencies such as the Pittsburgh Public School System, Community College of Allegheny County, Abraxas, Nursing Recruitment Coalition and the United Way are also committed to this program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the Health Education Center and Neighborhood Peacemakers for being a vehicle of change for the youth of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Ms. McDonald seconded the motion.

Mr. Udin:

I'd like to introduce Cynthia Griffin the Director of the program and also a colleague elected official from the Monroeville School Board.

Ms. Griffin:

Well, first we certainly want to thank you for inviting us to be in Council Chambers this morning to celebrate our youths, the neighborhood peacemakers and their artistic accomplishments.

You need to know that we are first teaching our children that in order to be

effective citizens, they must have basic knowledge and skills. We're teaching them that education and training are rich resources to empowerment. We really want to thank the teachers who are in the audience and principals who are representing their respective schools as well.

We have come to realize that these children, once they realize their dreams, that there are absolutely no limits to their accomplishments as indicative of some of the work that you will see this morning.

We also want to thank Councilman Udin because he has been so supportive of our program where they happen. By that I mean, for example, just last week we are responsible for adopt a high-rise program in the Hill District and Councilman Udin was there to give us that support. Then, when we recognized the children at a grand reception in which many were invited, he was there also to give tribute to their work. So, we thank you, on behalf of the Peacemakers. We have a couple of more people we want to hear from, first Dominick and. then. one of our Peacemakers herself to also bring closure and say thank you as well. Thank you again so much.

The Chair:

Thank you.

Mr. Pagniello:

Councilpersons, educators, Blue Cross and Blue Shield people that realize that wellness is a matter not only of the body but of the mind. They say that artist are the great simplifiers. They say that we

break down things into colors and shapes and from that we create worlds.

When I was asked to take on this project, I envisioned that I would simply stand in front of a couple of children and teach them how to paint and teach them how to hold a brush. Suddenly, I realized that I had the rare opportunity to accomplish something that I, myself, at this time, had never dreamed that I could do. I'm so full of emotions sometimes when I look at these pieces of art. We had a famous artist last week that came in and when people view the art that I'm about to show you, it's not what you imagine it to be. These are not stick figures, these are complicated ideas. These are infusions of oils and water colors. The most important thing that you have to realize. I wasn't granted an area this size, I wasn't granted eight or nine easels where children were able to work hour upon hour on this art work. We were confined to a space no bigger than this and we all spent three or four minutes each on these pieces of art You have to understand, you're business people, you understand that you can't just fragment your thinking patterns and yet this is what was the outcome of it.

This is a group of children that come from different parts of the city. These are people that a lot of times we adults or in the media view as always fighting and never getting along. I'm always amazed that the hardest thing for we human beings to grasps is just respecting one another. It seems that other creatures in the animal kingdom do, we just can't get that down packed.

What I would like to do instead of wasting time talking here, let me show you what children do. We had a theme, we

wanted to really encapsulate a universal theme water and air and these are some of the things that we did.

The first picture if everybody can see. The first picture is a picture that the children decided to use as their tee-shirt and to display we have a dream on it. It speaks for itself. The second piece of art is their water concept. These colors are beautiful. You need to get closer and you can see that these are infusions of ideas that each of these children had. Each person had a color that they really wanted to work with and so the whole idea was putting everything together that it comes out looking like something. Once we did that, we decided to do our fish theme and we added it -- like I try to tell them, it's almost like when I try to look at life, I work with the backgrounds first. I do my foundation and, then, from there I decide what and where I'm going to place them. It's their world. This is something I think they really enjoyed. They have very little control of everything. Neither of us have control of anything, but they have control of this canvas.

This next piece envisions, I guess, their world theme. It was an African theme. I was trying to tell them that some of the greatest art all comes from Africa. I believe they went to the museum and they saw this. This is another picture that -this is what I'm trying to explain to you. This picture was done and the most important thing that had to be added to this was all these little apples, it was about 200 of them. I told them that the months that we have been working on this project, it's all going to be for not that when the people that decided to do the apples if I can back because I was downstairs doing something else, that they suddenly were in streaks. Not to my surprise but to my happiness, they did it. The last piece and as an artist I think is their finest work. This was their universe theme. You know Council, I see pieces of art like this sale in New York City for about \$200,000.00, maybe you should hire these people to get this city out of debt.

In closing, the only thing that I ask from the people who are involved in the politics of Pittsburgh is to -- I don't come here with my hand out which might be strange to you. I do ask from you is to give me the opportunity, give me pieces of real estate that I can create little parquets, give me the basis of the bridges where I can do these projects, let me do this and that's all I ask from Council. With the help of the other corporate sponsors, this can be accomplished. Like I said, maybe I view things too simple. It's simply a matter of working together and I think we have accomplished that today. Thank you.

The Chair:

Thank you. Did one of the young people want to speak to say a few words.

Ms. Hilton:

Hi, my name is Lanay Hilton. On behalf of the Neighborhood Peacemakers, we would like to thank you.

The Chair:

Councilman Cusick.

Mr. Cusick:

I would just like to thank all of the students for coming down and sharing

their artwork, it's beautiful, it really truly is.

The Chair:

Councilman Udin, I believe you have another proclamation.

Mr. Udin:

It was read and adopted.

The Chair:

Thank you. I want to thank all of these students who came down here this morning, especially all the sponsors also for your kind contribution and support of this worthy project.

MR. UDIN PRESENTS:

No. 1238 WHEREAS, Today, October 23, 1996, educators, students, parents, families, church organizations, community leaders, businesses, fraternities and sororities, labor leaders and civic leaders will mobilize all efforts to endorse the National Education Funding Support Day; and

WHEREAS, members from twenty six cities including Atlanta, Charleston, Chicago, Dallas, Detroit, Houston, Jacksonville, Los Angeles, Milwaukee, New York, Philadelphia, Washington, D.C., and Pittsburgh will act as one large city and send a loud message across America; and

WHEREAS, this one large invoice will demand to impede the drastic reductions in federal funding for education, make it clear that we are fighting for our children's education and

garner support for this motto: "From Rhetoric to Action: Supporting Our Schools;" and

WHEREAS, the sponsors of this event are the National Commission for African American Education, Congressman Major Owens, Founder, Dr. Claude Mayberry, Chairman, Dr. Edith J. Patterson, National Chairman -NEFSD and Dr. Lelia Allen, National Co-Chairman-NEFSD; and

WHEREAS, our future is in jeopardy if we do not rise to the challenge and take an active role in helping to educate our children from Kindergarten to college, and recognize that although children makes up 40 percent of the population, they really represent 100 percent of our future.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Pittsburgh Supports the National Education Funding Support Day; and

BE IT FURTHER RESOLVED that October 23, 1996 will be declared National Education Funding Support Day in the City of Pittsburgh.

Mr. O'Connor moved to adopt the resolution.

Mr. Cusick seconded the motion.

Which motion prevailed.

The Chair:

The Chair presents Read and Adopted.

THE CHAIR PRESENTS:

No. 1239 WHEREAS, this year the government of Spain fulfilled a promise made 40 years ago by offering honorary Spanish citizenship to the foreign volunteers who fought to defend the Republican government in the 1936-1939 Spanish Civil War, a war that was to be the prelude for the terror and devastation of the Hitler and Mussolini regimes; and,

WHEREAS, approximately 59,000 international volunteers went to Spain including some 2,800 Americans, and at least ten thousand died and some and some 8,000 were wounded in fierce combat against a military coupled by fascist dictator Francisco Franco who was supplied militarily by Hitler and Mussolini; and,

WHEREAS, famous writers and poets such as Ernest Hemingway and George Orwell and hundreds of ordinary American citizens joined the fight and became known as the Abraham Lincoln Brigade, including Lou Bortz of Pittsburgh, Pennsylvania; and,

WHEREAS, the Spanish Civil War ended a few months before the beginning of World War II, with fascisms victorious, and the resultant execution of approximately 175 captured Americans, which will forever be remembers as part of the fascist reign of terror in Europe and beyond; and

WHEREAS, a Pittsburgh area resident, Mr. Lou Bortz now in his 86th year, and his wife Maria, have been invited back to Madrid, Spain by the Spanish Parliament for an official ceremony where Mr. Bortz, and other

remaining veterans, will be bestowed with honorary citizenship and commendation.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, October 25, 1996 as "LOU BORTZ/ABRAHAM LINCOLN BRIGADE DAY" in the City of Pittsburgh and further recognizes and pay tribute to the idealism, valor and humanitarianism of Mr. Bortz, his fellow freedom fighters, and the people of Spain.

Mr. Udin moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. That concludes our Read and Adopted. Moving to Presentation of Papers, Councilman Cohen, Committee on Public Safety Services.

PRESENTATIONS

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Mr. Cohen. Councilman Cusick, Committee on Parks, Recreation and Youth Policies.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Councilman Cusick.

MR. CUSICK PRESENTED:

No. 1241 Resolution providing for an agreement of sale for the purchase of property located in the Twenty-Ninth Ward of the City of Pittsburgh at 2199 Dartmore Street at a cost not to exceed Five Thousand (\$5,000) Dollars.

Which was read and referred to the Committee on Lands, Buildings and Procurement.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings, and Procurement.

Mr. Hertzberg:

No new papers.

The Chair:

Thank you. Councilwoman McDonald, Committee on Housing Economic Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you.

MS. MCDONALD PRESENTED:

No. 1242 Resolution authorizing the filing of a proposal for funds with the Department of Community and Economic Development, Commonwealth of Pennsylvania and further authorizing the creation of a trust fund for the depositing of funds at a cost not to exceed \$300,000,000.

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No new papers, Mr. President.

The Chair:

Thank you Mr. O'Connor. Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTED:

No. 1243 An Ordinance Amending the Pittsburgh Code, Title Nine, under Section 903.02(r) a definition for "Radio or television transmission or receiving tower" by revising Administrator Exception No. 993.01(b)A(30) to allow such towers no more than 100 feet in height in M1, M2, M3, and M4 Districts by inserting Conditional Use Exception No. 993.01(a)A(56) for such towers over

200 feet in height in all districts, and by inserting Special Exception No. 909.06(b)(38) for such towers between 100 and 200 feet in height in M1, M2, M3, and M4 Districts and less than 201 feet in all other districts.

Which was read and referred to the Committee on Planning, Housing and Development.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

No new papers, Mr. President.

The Chair:

Thank you Mr. Ricciardi. Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

MR. UDIN PRESENTED:

No. 1244 Resolution authorizing the incurrence by the City of nonelectoral debt for the purpose of providing funds to be used in connection with funding a portion of the City's unfunded actuarial accrued pension liability through the issuance of taxable General Obligation

Bonds, Series B of 1996, in the aggregate principal amount of \$300,000,000.00.

Also,

No. 1245 Resolution increasing the bonded indebtedness of the City in compliance with the Local Government Unit Debt Act by the issuance of General Obligation Notes in the aggregate principal amount of \$174,570,000.00 to be used to refund the City's outstanding 1986, Series B, General Obligation Bonds and to pay the cost of issuance of the Notes.

Also,

No. 1246 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Municipal Tax Collection Bureau, Inc. for the purpose of discovering undisclosed City Taxes recommending accounts for City Audit and, at the discretion of the City, collect delinquent taxes, at a cost not to exceed \$50,000, payable from monthly invoices, Code Account 1063, Misc. Services, Department of Finance.

Also,

No. 1247 Resolution providing for the filing of a petition or petitions for the sale of certain properties/ properties acquired at tax sales in accordance with Act No. 171 of 1984, Second Class City Treasurer Sale and Collection Act, effective December 11, 1984.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Thank you. That concludes our Presentation of Papers. Moving to Unfinished Business. On reports of Special Committees. I would ask that Councilwoman McDonald address her Resolution.

Ms. McDonald:

Thank you Mr. President. I'll try to be brief. I would like to make a motion to approve a resolution that is before you. I will read the resolution. It involves the fall out of yesterday's public hearing that the residents partitioned City Council to convene.

MS. MCDONALD PRESENTS:

WHEREAS, the Council of the Borough of Wilkinsburg will be voting on legislation to amend their zoning ordinance of "I-1" Industrial Use to specifically include recycling and solid waste as a use on October 30, 1996, which is tomorrow, in order for Waste Management of Wilkinsburg, Inc. to expand it's recycling facility in Phase I and to construct a solid waste transfer facility in Phase II of it's plan; and

WHEREAS, the Borough of Wilkinsburg did not notify residents of Homewood Brushton in the City of Pittsburgh with home abutting this proposed expanded waste facility of this project that would directly impact them; and

WHEREAS, the Borough of Wilkinsburg did not formally notify the City of Pittsburgh Council and that means the Borough of Wilkinsburg, Waste Management was the only entity that contacted us, nor Administration to discuss this project which directly impacts the City of Pittsburgh residents and the infrastructure of City maintained roads and streets; and

WHEREAS, during a public hearing before Wilkinsburg Borough Council held on October 9, 1996, City Solicitor Timothy Barry repeatedly stated publicly that the Wilkinsburg Borough Council would only consider amending zoning ordinances to facilitate waste management on the condition that all trucks be exclusively routed to Gate 1 in Homewood Brushton and at Gate 2 in Wilkinsburg as well as Wilkinsburg residential streets to be used only for passenger cars and vehicles; and

WHEREAS, the City of Pittsburgh would solely barely the cost of wear and tear of City streets due to the routing of upto 228 municipal waste trucks, the residential streets with no additional revenue to the City; and

WHEREAS, during all public meetings in Homewood Brushton and during public hearings before Pittsburgh City Council, Wilkinsburg Borough Council, residents of Homewood Brushton vehemently stated their opposition of having an expanded waste facility abutting their properties and have proposed to fight this expansion.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh request that the Council of the Borough of Wilkinsburg to postpone the vote on the Waste Management of Wilkinsburg, Inc. proposal to expand recycling facilities and build a solid waste transfer facility located at 450 Brushton

Avenue for at least 30 days in order to allow the City of Pittsburgh Administration adequate time to evaluate the impact of the City residents, to determine routing that would have the least impact to Homewood Brushton and to City residents, and to determine impact to the infrastructure of the City of Pittsburgh roadways.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh direct the Administration to forward a letter to the Borough of Wilkinsburg and to Waste Management of Wilkinsburg, Inc. requesting a 30 day postponement of ratification of this development contract in order for all relevant parties to meet and discuss.

Mr. Udin moved to adopt the resolution.

Mr. O'Connor seconded the motion.

The Chair:

Any discussion?

Ms. McDonald:

Basically, I want to thank my colleagues again for being in attendance. There's still more that I'm learning about this and about zoning and what's allowed and what's not allowed in terms of refuge and what types of refuges.

I do want to commend the Mayor's Office, Tom Cox, our Deputy Mayor, has forwarded a letter to the President and members of the Borough of Wilkinsburg Council yesterday after the public hearing. I'll just read one or two lines here. It says, "the Pittsburgh City Council held a public hearing on the facility this morning. At

the conclusion of the hearing, the Council and the City Administration agreed to respectfully request Wilkinsburg Borough to delay any action on this proposal for at least 30 days. We request this delay in order to afford the City of Pittsburgh adequate time to learn more about the proposal Solid Waste Transfer Facility and the potential impacts the facility may have on the residents of the Borough of Wilkinsburg and the City of Pittsburgh".

I do believe there is unity with this request for postponement. It's not an obstructionist view. It basically says three weeks is simply not enough time for people that will be impacted so heavily by We're talking about garbage facility expansion. Three weeks is just not enough time. Most residents are afforded, at least, a common courtesy of months in advance, years in advance, this came down the pipe three weeks in advance for the Administration to review and for City residents, basically, to respond. It's not an adequate time. Waste Management has done very well in terms of having meetings in the community, explaining things, they were here yesterday and I applaud them but I'm asking respectfully and I would hope that with Council approving this resolution it basically asks the Borough of Wilkinsburg, hold off guys, time out, this is impacting too many people. It's too controversial, it's getting quite heated in the community and I'm putting that very diplomatically. It is a very heated issue and I don't things to explode.

I'm asking them respectfully to please hold off so that everyone can be at the table, everyone can be on the same page, that there can be some type of amicable resolution, etc. in terms of this

whole proposal. I know that we can have some amicable resolution, but we're going to need at least 30 days to do so. It would benefit not only Wilkinsburg but also the resident. It won't be a media spectacle. We have to move forward positively and this is what this accomplishes. Thank you very much.

The Chair:

Thank you. On the motion, Councilman Udin and, then, Mr. Cohen.

Mr. Udin:

I just first had a question and then I wanted to make some comments if I may Mr. President. I wanted to find out whether or not we heard from Waste Management on a question that they promised to get back to us by the end of the day and we also indicated that we were going to try to communicate to the Wilkinsburg's Borough about what their general feeling was to delaying their vote. I was wondering whether or not we had any feedback yet.

Ms. McDonald:

Thank you Councilman Udin. Waste Management did get in touch with our office yesterday. They don't really have a problem. There concern is that this is slated for a Wednesday vote. Waste Management wants to work with communities. It is very clear they want the expansion, but they know they're not going to get it without working with communities because it's a lot easier that way. You don't want human gait, you want a good relationship with the community. They have no problem, but according to the Tribune Review Article, it did say, but Wilkinsburg Council President Alexis Nedly on Monday suggested she wasn't exactly sympathetic to City fears of a high level of truck traffic in the Pittsburgh neighborhood.

It quotes, "I wonder if the City of Pittsburgh has an idea how many of their garbage trucks use our streets or the fire trucks or their police cars, Nedly said. I have no desire to alienate the City of Pittsburgh and it's not that we don't get along, we don't even know one another, she said".

Well, this afternoon I'm planning on making sure that we get to know one another and that we sit down and talk about this. We have to get to know one another, I agree with that, but I didn't appreciate the comments. Again, I don't want to have it get to a tit for tat, but let's be a little respectful, that's all I would communicate to the Borough Wilkinsburg. Also, pick the dog gone phone up if you have a problems with what's going on. From one elected official to another elected official, I've always said that, call me if there's a problem. I'm about a phone call away. It's not very difficult. If you see trucks that illegal, call, call somebody at the City and I'm sure they'll respond out of respect from one municipality to another municipality, it's easy.

The Chair:

Thank you. Councilman.

Mr. Udin:

I doubt that this really signifies and strengthens that in some cases the argument for regional government with some type of regional corporation really makes sense. When we look at the EMS problem, when we look at 911 problem and we have situations like this with Wilkinsburg talking to the City as though we are thousands of miles away. It's a real problem but it's around specific issues like this that we get to know each other and also get to figure out how we can better work together on those issues that do overlap. There are overlapping issues and they overlap from time to time.

The question of -- there were several things with regards to this that are very troublesome Mr. President. There's been some discussion about the fact that there has been recycling going on at this site for five years already. I don't know how many of my colleagues have actually been to a dump, a waste dump, but the odor that comes from these places is very much different than a recycling center. I mean, it is very much different. I know that the odor control problems that we have been fighting with and that Councilman Onorato has articulated very frequently concerning ALCOSAN, I don't even believe that most garbage dumps even try to do anything with odor control, it's just odor toleration more than anything. To have such a site -- at first I thought that when they called it a waste transfer facility, I thought that perhaps the waste would be taken from one truck into the larger trucks without it actually be exposed too long to the open air, but it's not the case. They will be coming and dumping garbage on the floor and, then, coming along with a tractor to pick it up and put it into the larger 18 wheeler trucks. There's a substantial difference between recycling and handling of the solid waste.

We talk about the number of trucks that will be going through. The number 228 has been mentioned. Number one, we're not really certain that that's the number, but whenever we do decided at a number, if this goes through, we have to have a rock solid written agreement that puts a limit on the number of vehicles that will be used. Two-hundred and twenty eight, to mention the number of trucks disguises the number of actual trips that will be made because every truck going in have to come out, so that's 456 trips that will be made through the City streets. That's - 228 was bad enough.

Ms. McDonald:

And, some trucks make more than one trip.

Mr. Udin:

We really do have to look very closely at this idea before we allow it to go through. The wear and tear that it will take on the City streets I am absolutely certain will be tremendous. Sometimes that's justified if the tax revenue that's generated to the City, justifies the wear and tear on the streets. In this case, tax revenue is going to the Borough of Wilkinsburg and all we get is the garbage.

I want to commend Councilwoman McDonald for bringing this forward in the public hearing and the residents of Homewood Brushton and other communities who've also brought it forward.

I was also glad to see that in explaining the various routes that will be used to accommodate this Waste Transfer Facility, it's not only Homewood Brushton

that's impacted. If they're talking about bringing some of those trucks up Edgewood, Braddock Avenue, you know what the traffic is like just from the car traffic. All day long that avenue is jam packed with cars. And, then, to talk about in addition to that coming up Forbes and Murray with those trucks, I don't see how any traffic study could have suggested that they could go forward with this project. They claim to have a traffic study. I would really like to see how a traffic study recommended that trucks could get through this traffic without tying up the whole City.

I appreciate your leadership and I stand in support.

Ms. McDonald:

Thank you.

The Chair:

Councilman Cohen. Then, I'll come back to Mr. Ricciardi and, then, Mr. Onorato.

Mr. Cohen:

Thank you, Mr. President. I'll be brief. want to thank Valerie McDonald for her initiative and her leadership on this issue. This is clearly an important issue and not just to her council district, but also to mine which is adjacent to it. A lot of my constituents will be affected by this. And, frankly, to the city as a whole because there are issues that come out of this that affect the entire environmental issues and quality of life issues. As Councilman Udin illustrated. imagine that many garbage trucks going through your neighborhood. If this goes

through, there will be a grand pre for garbage trucks on residential streets, whether that be Penn Avenue, Hamilton, Brushton, Frankstown, whatever street they decide to go on and it's not clear now which one they would and that really is another problem. It would be a clear undermining of the quality of life in that neighborhood.

I think that this is a reasonable approach which is to ask the Wilkinsburg City Council to postpone their decision and let's get together and try to work with them. I hope that they cooperate with us. If they don't, then, we're going to have to take a different approach. But, if they cooperate with us, hopefully, we'll be able to reach a fair and equitable solution. Thank you.

The Chair:

Councilman Onorato.

Mr. Onorato:

ľm in full support of Councilwoman McDonald's resolution. I would just ask Councilwoman that whenever you schedule a meeting, I definitely want the head of Allegheny County Health Department there. They have to answer question. It was very clear vesterday, Waste Management was very honest in telling us that the quantity on this site is drastically changing. For one permit to be renewed and pretend as though we're just switching names of companies and nothing's changing, that's fraudulent. What we heard yesterday, it is not the same type of activity. increasing the activity and if we can't rely on our Health Department to protect the health of the residents and we're all part of the county. This is not parochial here. They have to look at the City and Wilkinsburg equally. We've been down this road before with the approval of the Tire Burning Plant in Neville Island. I'm very suspect of how they approve permits over there. I want them at the table and somebody from DEP or DER or with the permitting process because right now I am not satisfied or I don't feel comfortable with the safety regulations they have in place when they permit these types of facilities.

The Chair:

Councilman Ricciardi and then Mr. O'Connor.

Mr. Ricciardi:

Thank you Mr. President. I will also be short. I am in full support of the resolution before us. I have not read the newspaper articles or the quotes from Wilkinsburg officials but I believe under professional courtesy that they will delay their vote. Just let me say that I under the feelings of the neighborhoods and the controversy in the neighborhoods. I recall when 100 tow trucks were going to come to the South Side, this body stood up and we stopped that. Trucks can disrupt a As you know Mr. neighborhood. President, working with you, Ralph Kirshesky, Sam Tiglio in the past and St. Peters Church, we formed a City Dump up However, it's in my neighborhood. working well because the trucks are well routed and they're spread apart by Ralph Kirchesky, the leadership of Ralph and our Supervisor there Mr. John Trilecky. Let me say, just receiving 10 to 20 city trucks in our neighborhoods on Carson Street, Josephine Street and through Arlington Heights, at time, is a true negative impact. So, I can't imagine 400 and something trips as Councilwoman McDonald and Councilman Udin have pointed out.

So, I'm in full support of them and I believe that we should have our solicitor on board, the Solicitor as she's doing in the South Side against the Original Hot Dog Shop should represent the fine residents of Homewood Brushton in her full capacity as Solicitor and Attorney of City Hall and represent the people in Homewood and Councilwoman McDonald through their capabilities in terms of any legal avenues they can pursue. I don't think it's something that we should just pass resolutions or maybe have any catch phrases. I think it's something that we should direct our Law Department to pursue either through the permit section or maybe any other detrimental effect to the neighborhood that they can. Thank you.

The Chair:

Thank you. Councilman O'Connor.

Mr. O'Connor:

I support Ms. McDonald in her approach. I hope Waste Management in Wilkinsburg realize this. You word it very, I think, honestly and openingly. We would urge them to hold it for 30 days. Again, I border a lot of that, Braddock Avenue and Frick Park. We're only a block away from Wilkinsburg. The quality of life on Braddock Avenue, I coach little league there, it takes you ten minutes to cross the street as it is now. I think Wilkinsburg residents use that park, probably, more than city residents. I think it's good that we all share it and I don't

want it to be parochial because the parks were meant for everyone. When someone mentioned Murray Avenue, I think that was a joke. If they really did suggest that, I'm hoping they're joking. Getting closer to home as they look at Braddock Avenue, it's really, with Edgewood Town Center and the park. Our quality of life on the East End, although the news media pays little attention to it, but I think one of the major problems in the East End is traffic and it's something we have to all look at in the future

The other thing that concerns me is the gate, why the city gate is open and the Wilkinsburg side gate is not opened. If that's the direction they're going, I think we can do a lot to stop this. I would hope that they would slow this down for at least 30 days or longer so that other alternatives are looked at.

The Chair:

Thank you. I'm not withstanding my support, obviously, for the resolution. I think at some point, it needs to clearly state our state our opposition to any expansion of this facilities as a howling and waste treatment or waste transfer station. In any facility that it would have a detrimental impact on. The residential quality of life in the Homewood Brushton Committee. I think it needs to state that explicitly in this resolution or that us will just, generally, be the consensus of Council. I think it was expressed yesterday.

Secondly, I think we need a formal directive independent of this resolution. I think we need to ask the City Solicitor and Director Kirchesky from Public Works to begin a process of reviewing what are our

options are in making any formal protest to the County Department of Environment Protection (DER). Whatever legislative regulatory governmental body needs to review any expansion. I think we need to get on record right now with our opposition. I don't trust waste management at all to be honest with you. I think what waste management will attempt to do is kind of up the barrel community and leadership of Wilkinsburg with this Council and with Mayor Murphy. Their usual MO is to go into a smaller community, get the authorization, spread their good well around, wine and dine people in terms of looking at the facility, is there great opportunity for jobs and all of that. Sure it's going to be somewhat of an economic benefit, but we have to look at the detrimental impact and the result and harm that's going to come from this facility, especially to the community. I'm not too confident that we're going to get anyway with Waste Management. I think the consultant study was, obviously, just a joke. To seriously consider the Parkway, Murray Avenue, Forbes Corridor as a viable traffic route for this facility as was part of the formal traffic study, it's probably as viable as the traffic study for Bigalow Boulevard.

I think in the end, and I know that Councilman Hertzberg pointed out that maybe we can't do it, but I think we need a vehicle embargo. I suggest that we consider and look at a legal option in closing Brushton Avenue at that location and that would prevent access out of the site. I'd like to understand what our legal recourse is in that regard, independently in my support for the resolution that Councilwoman McDonald has promulgated here today.

Any other comments or discussions?

All in favor? The ayes and noes were taken agreeable to law, and were:

AYES:

Mr. Cohen Mr. Cusick Mr. Onorato Mr. Ricciardi

Mr. Hertzberg

Mr. Udin

Ms. McDonald

Mr. Ferlo

Mr. O'Connor

(Pres't)

NOES:

AYES: 9 NOES: none

Mr. Udin:

Do we need some action to direct this to the Law Department?

The Chair:

Well, I would ask first that our City Clerk directly, today, quickly, fax or communicate this formal resolution with all of our names on it and your signature to the political elective leadership of the Planning Commission in Wilkinsburg and the Mayor and the City Council of Wilkinsburg. Independently, is there any objection to communicating to the Solicitor asking her to review what our various opportunities and authorities are relative to going on record in opposition with either the County DER, DEP or whoever.

The Chair:

Any other matter on this resolution? Thank you. Any other matter

on Unfinished Business or Reports on Special Committees? Hearing none, moving to Reports of Committees.

Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS:

Bill No. 1175

Report of Committee for Finance and the Budget for October 23, 1996 with an affirmative recommendation.

No. 1175 Resolution providing for the issuance of a \$2,120.85 warrant in favor of Robert Lutz in settlement of claim for property damage due to sewer back up.

Also.

No. 1176 Resolution providing for the issuance of a \$3,750.00 warrant in favor of Craig and Carmelita Korbett in settlement of property damage due to sewer back up.

Also,

No. 1177 Resolution providing for the issuance of a \$940.00 warrant in favor of Ruth Fitzgerald in settlement of claim for sidewalk damage due to City tree roots.

Also,

No. 1178 Resolution providing for a transfer from Non-Department Code Account 41 Refunds - Real Estate Tax, Index Code 004101 to Non-Departmental Code Account 50, Refunds - Sewage Charges, Index Code 005009, at the amount of \$25,000.00 (Twenty-Five Thousand Dollars).

Also,

No. 1213 Resolution transferring the sum of Fifteen Thousand Dollars (\$15,000.00) from Code Account 1016, Index Code 101600, Salaries, Regular and Temporary Employees, Mayor's Office, to Code Account 1017-1, Index Code 101717, Education and Training, all within the Mayor's Office.

Also.

No. 1214 Resolution providing for the transfer of \$200,000 from Code Account 45, Health Insurance - Municipal Employees, Index Code 004507, \$200,000 from Employee Health Care Program, Index Code 205005 and \$100,000 from Code Account 44. Workers' Compensation Fund, Index Code 004408 to Code Account 45-9. Worker's Compensation Indemnity, Index Code 004598, Department of Finance.

The Chair:

You have heard the reading and title of the bills, is there any discussion? Councilman Cusick.

Mr. Cusick:

Can we have the Law Department to clear up some of the claims that have been made on some of the sewage backup claims? My district was hit pretty hard last year by flooding and the number of people had substantial losses and I just want to commend them in trying to clear up most of these claims that were filed with the City. Thank you.

The Chair:

Any other discussion? Hearing none the bills and already for final action. All in favor of the passage of the bills, vote aye when your names are called, if you're opposed vote no. Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally and required number of votes have been approved finally.

Committee on Public Works, Water, and Environmental Services, Councilman Ricciardi.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTS:

Bill No. 1173

Report of Committee on Public Works, Water & Environmental Services for October 23, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1173 Resolution amending Resolution No. 455, effective June 29, 1994, entitled "Providing for a Contract or Contracts, or the use of existing Contracts, for safety surface installation for the Department of Public Works, payable from Code Account 4-01-40-0054-94-515-94-01, Index Code 876029, Play Area Safety Improvements, and providing for the payment of the cost thereof," by increasing the total allocation by \$103,242.18 from \$100,000.00 to \$203,242,18.

Also,

No. 1174 Resolution amending Resolution No. 541, effective July 31, 1996, entitled "Providing for a Contract or Contracts, or the use of existing Contracts, for the purchase of play equipment and play area safety improvements at various parks and parks facilities in CD areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof," by decreasing the total allocation

by \$103,242.18 from \$404,000.00 to \$300,757.82.

The Chair:

You heard the reading and title of bills. Is there any discussion?

Hearing none the bill is now ready for final action.

All in favor of the passage vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Planning, Zoning & Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENT:

No. 1150

Report of Committee on Planning, Zoning & Land Use for October 23, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1150 Resolution amending Resolution No. 1810, approved October 31, 1991 entitled Amending Resolution No. 724 approved August 29, 1988, entitled providing for implementation of a Residential Parking Permit Program in portions of Squirrel Hill - CMU community pursuant to Pittsburgh Code, so as to amend the streets included in Area "K".

Also,

No. 1196 Resolution amending Resolution No. 635, approved July 10, 1985, as amended by Resolution No. 285 of 1987 and by Resolution No. 50 of 1989, Resolution Nos. 135 and 1181 of 1990, Resolution No. 1155 of 1991, Resolution No. 627 of 1992, Resolution No. 705 of 1993 and Resolution No. 445 of 1995, entitled: "Providing for the filing of a Community Development statement by the City of Pittsburgh in connection with the 1985 Community Development Block Grant Program", so as to decrease a line item in Public Works and add a line item in Engineering & Construction.

The Chair:

You've heard the reading and title of the bills.

Is there any discussion? Councilman Udin.

Mr. Udin:

Mr. President, I have a confession to make. As many times as I've heard this bill read, I still don't understand the nature and the effect of Bill 1196. I would just like one more time before final passage if the Sponsor would explain what this action does.

Mr. O'Connor:

I'm sorry.

Mr. Udin:

1196.

Mr. O'Connor:

In the overall plans to fix all the parks is basically \$3,000,000.00 for old CD money. \$75,000.00 was supposed to go to the Community Enrichment Program that was deleted from there. Instead of deleting the \$75,000.00 from the Community Enrichment Program which opens nine schools in almost every county.

Mr. Udin:

It was deleted when?

Mr. O'Connor:

It was part of the package. With the Mayor's package, they delete a lot of money over the last 10 years from programs that weren't being used. Going back to CD money from the early '80s. In that package was \$75,000.00 was deleted from the Community Enrichment Program. Instead of deleting that, I would like to keep that money in there to keep the after school programs open and I found Picket Fence money that was directed towards Picket Fence. Take that 75 from Picket Fence so that it doesn't harm the Playground Program.

Mr. Ferio:

The only point of clarification I would need. I wasn't here last week, unfortunately. We already previously finally adopted the proposal that you just outlined. We already had a final vote on the decrease of the Picket Fence money and restoring it back to Community Enrichment a week ago. What is this new bill? Is this a separate?

Mr. O'Connor:

This is the same one we talked about last week.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

I don't know how to respond to your question Mr. Ferlo, but I believe I understand this. When the Administration provided directed a host of bills under their CD Program in order to finance the parks, their five year program, there was a decrease of \$75,000.00 in the Community Enrichment Program. At that time, I believe the Administration had made the argument that there were certain programs

in the Community Enrichment Programs throughout the neighborhoods that people were not attending so they were going to scale back on certain activities. They were forecasting a savings of \$75,000.00.

What I believe Mr. O'Connor is doing and that I support, he's saying that those dollars are going to stay there and that this Council will make the decision if we're going to scale back on certain programs, certain activities throughout the neighborhoods. I think, Mr. Bob O'Connor is also saving that we're going to have more than nine Community Enrichment Programs. I think what we were going to try to do is ten because out in the West End which Councilman Hertzberg represents, he doesn't have certain city facilities that, for example, I do such as the market house and other facilities. We were going to place those dollars back.

Your question that I did bring up, Mr. President that I had believed that we had depleted this so-called Picket Fence Program a number of times. However, after some research by the Administration, they say those dollars are still contained in that line item.

Mr. Ferlo:

I think what's being done here. We already approved what Councilman O'Connor said. We did that last week, the last final action. That bill that we approved transferring all these various CD dollars where we had the discussion about the cops and we had the discussion — we amended that and we finally approved the initial amendment by Mr. O'Connor which we supported to take money out of Picket Fences instead of Community Enrichment.

I believe what this bill is, actually, is a minor technical change in that they're changing from 84 to 85 previously unused Picket Fence dollars. I think it's a minor technical change. The substance of policy issue we already debated and resolved in a final vote a week and a half away. So, it's not changing anything other than the particular year in which the CD funds were, supposedly, available.

Mr. Ricciardi:

The funds cannot be transferred and stayed within the Community Enrichment Program.

The Chair:

I, understand that. We already subsequently dealt with this issue. This is probably a minor correction from Mr. Valasari on a particular year which the funds were actually listed.

Any other discussion?

Roll call vote on all the bills.

AYES:

Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The Committee on Parks, Recreation & Youth Policy, Councilman Cusick.

MR. CUSICK PRESENTS:

No. 1169

Report on Committee on Parks, Recreation & Youth Policy for October 23, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1169 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to add ELLIOTT to the West End Overlook signage, 20th Ward, Council District 2.

The Chair:

You heard the reading and title of the bill.

Is there any discussion? Councilman Hertzberg.

Mr. Hertzberg:

I ask for my comments to be brought forward on this legislation that I'm proud to sponsor and support, adding Elliott to the name of the West End Overlook which is located in the Elliott neighborhood and now it will be renamed to note that fact.

The Chair:

Any other discussion?

Hearing none, if you're in favor of the bill vote aye, if you're opposed, vote no. Will the Clerk please call the roll?

AYES:

Mr. Cusick Mr. Hertzberg Mr. Onorato Mr. Ricciardi

Ms. McDonald Ms. O'Connor Mr. Udin Mr. Ferlo

(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Housing, Economic Development & Promotion, Councilwoman McDonald.

MS. MCDONALD PRESENTS:

No. 1170

Report on Committee on Housing, Economic Development & Promotion for October 23, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1170 Resolution approving Execution of a Contract for Disposition by

Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pittsburgh Manchester Hope VI+ Partnership for the Sale of the following properties in the 21st Ward of the City of Pittsburgh, in Redevelopment Area No. 27, Council District No. 6, for \$1,500.00 per dwelling unit.

Also,

No. 1171 Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Housing Authority of the City of Pittsburgh for the Sale of the following properties in the 21st Ward of the City of Pittsburgh, in Redevelopment Area No. 27, Council District No. 6 for \$1.00 plus cost.

The Chair:

You heard the reading and the title of the bill. Is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill vote aye when your names are called. If you're opposed, vote no. Will the Clerk please call the roll?

AYES:

Mr. Cusick
Mr. Hertzberg
Ms. McDonald
Mr. O'Connor

Mr. Udin
Mr. Udin
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

The Committee on Public Safety Services, Councilman Cohen.

MR. COHEN PRESENTS:

No. 1167

Mr. Cusick for Mr. Cohen for report of Committee on Public Safety Services for October 23, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1167 Resolution providing for an Agreement or Agreements with the local telephone companies for 911 emergency services.

The Chair:

You heard the reading and title of the bill. Is there any discussion?

Hearing none the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when your names are called. If you're opposed vote no. Will the Clerk please call the roll.

AYES:

Mr. Cusick
Mr. Hertzberg
Ms. McDonald
Ms. O'Connor
Mr. Ricciardi
Mr. Udin
Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill having received the legally required number of votes have been approved finally.

Committee on Engineering and Construction, Councilman O'Connor, Chair.

MR. O'CONNOR PRESENTS:

No. 1197

Report of Committee on Engineering and Construction for October 23, 1996 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1197 Resolution amending Bill No. 1120 approved October 15, 1996 which reads: "Resolution providing for an Agreement or Agreements, or use of existing agreements and/or a Contract or Contracts, or use of existing Contracts, for the Rehabilitation of Various Playgrounds located in CD Areas; providing for the purchase of equipment and materials for

said projects; and providing for the payment of the costs thereof." By adding a line item and increasing the total project allocation by \$2,877,579.50.

The Chair:

You heard the reading and title of the bill. Is there any discussion?

Hearing none the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cusick Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

The Chair:

The bills having received the legally required number of votes have been approved finally.

That concludes our Reports of Committees. under Motions and Resolutions. Is there any matter that should be brought before the body.

I just want to say a quick thank you to Craig Shaw from my office in particular and other staff people. Mostly the volunteers who in Lawrenceville Halloween Parade Committee. It was a great event last night involving several thousand young people. I want to thank

all the hard work and the support that came from the community for the Seventh Annual Lawrenceville Halloween Parade.

There is an election next week and, therefore, we will not be meeting on Tuesday. Regardless as to how you are voting, I hope you get out and support and vote however your conscience dictates. We will have a change in the actual meeting time.

Councilman Cusick.

Mr. Cusick:

On the point that you just brought up regarding the parade, I think that this speaks for all of Council and all of the Communities we like to commend you. I know that I had three parades in my district, the Carrick, Brookline, Beechview will hold there on Halloween night.

Thanks for being there and getting our kids out and having them participate in the parade. It was a great parade and they create so much enthusiasm in all of our communities and I think that we should commend them all.

The Chair:

Thank you and good point. I know I have five events in my five neighborhoods and a lot of hard work and voluntary support. I think everyone of else has a very exciting group of volunteers from our perspective communities.

We want to thank all of you. I know Councilman Udin was in a parade on Saturday. He was the grand marshal of the parade, it was a great event also

Again, a collective thank you to a lot of hard working volunteers.

Accordingly, though, since we have general election on Tuesday, I'd like to ask that we formally adjourn this meeting and that we will meet again on Monday, November 4, 1996 at 2:00 P.M. due to the election day on Tuesday.

Also that week on Wednesday our Standing Committee Meeting will be at 2:00 P.M. instead of 10:00 A.M.

With that can we have a formal motion to adjourn.

Mr. Udin So moved.

This legislation session stands adjourned. Thank you.

ADDENDUM

 Councilman Hertzberg comments -on Bill No. 1169 can be found in the Standing Committees Meeting Minutes of November 13, 1996.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXX

November 4, 1996

No. 42

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, October 29, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you. Good afternoon everybody. We have a number of honored guests in the audience today. I do want to welcome our Police Chief McNeilly, welcome to Council Chambers.

At this time, I'd like to call on Councilman Cusick on behalf of all members.

Mr. Cusick:

Will all the police officers, their families, Chief McNeilly, Commander Costa, would you all like to come up.

The Chair:

Will all of the officers come forward and your family members are more than welcome to join us.

MR. CUSICK PRESENTS:

No. 1256 WHEREAS, the City of Pittsburgh Police Department is among the finest Departments in the United States of America; and,

WHEREAS, from time to time there are those City of Pittsburgh police officers who, through the normal course of their jobs, are thrust into situations where they are asked to go far and beyond the call of duty; and, WHEREAS, despite the negative publicity and the thankless nature of the job, there are those officers that rise to the occasion and meet the challenges that sometimes require them to risk life and limb in order to protect the life and property of the citizens of the City of Pittsburgh.

NOW, THEREFORE, BE RESOLVED that the Council of the City of Pittsburgh hereby recognizes, honors and commends the following Pittsburgh Police Officers: John Wester, Timothy McMannaway, Janet Everitt. David Jellison, Lawrence Ferrilli. Michael Hoffman. Timothy Hohos. Joseph Novakowski, Barry Barthelemy, Scott Schubert, Scott Curley, Anthony Moreno, Forrest Hodges, Robert Zollars, Daniel Parisi, Terry Koman, Margaret Sherwood, Detective Ronald Nagy, Richard Nicholas, Richard Stern and Lieutenant William Valenta; for their efforts, actions and good deeds to protect the citizens of the City of Pittsburgh and make Pittsburgh an even safer and better place to live.

MS. MCDONALD moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Mr. Cusick:

We are very honored to have with us today Chief McNeilly. I'd like to ask the Chief to come and say a few words if he would.

The Chair:

Let's give the Chief a hand here.

Mr. McNeilly:

We appreciate everything that you've done to show us your support. This is something where our officers go out on the streets everyday and they take risk and put themselves in jeopardy on many occasions, and they do so in their efforts to serve the community. Just as much as they are a part of the community they're there to assist the people with different problems that arise. In everyone of these instances, these officers have taken that extra step and gone above and beyond the call of duty. Many of them having risk their lives to perform their duties.

I'm proud to be here to represent these officers and to offer them my thanks, too for the job that they done for the community. Thank you.

Mr. Cusick:

I'd like to ask Councilman Cohen who is co-sponsor of this. I just want everyone to know that myself and Councilman Cohen are the co-sponsors and it is also co-sponsored by each and everyone of Councilmembers. Dan Cohen, Chairman of Public Safety.

Mr. Cohen:

Thank you Councilman. Good afternoon everyone. The job of a police officers is perhaps the toughest job in the City of Pittsburgh and because of Chief McNeilly and the Mayor, we are finally, once again, publicly commending police officers who have gone above and beyond the call of duty. The police officers that

we have here today along with this those that the Councilman had last week and we're going to have next week, one final one, all really showed bravery and heroism in the line of duty and, therefore, deserve to be honored for what they have done. I want to first of all congratulate the Chief for having a public presentation of letters of accommodations, medals of valor, etc. and also for Councilman Cusick for honoring them here in City Council and for all of you for working so hard and really the toughest job in the City of Pittsburgh. Thank you very much.

Mr. Cusick:

I have a copy of the resolution for each and everyone of the officers. But, since I did such a hatchet job on their names. I'd like for each and everyone of you to come up and say your name and your rank if you would.

Mr. Moreno:

My name is Officer Moreno. I work on the Northside. I'm a police officer in my third year.

Mr. Nicholas:

Officer Richard Nicholas. I work on the Northside also and I'm in my third year.

Mr. Stern:

My name is Officer Richard Stern. I work the Northside. This is my third year as a police officer.

Mr. Schubert:

Officer Scott Schubert. I work out of East Liberty Zone 5. Thank you.

Mr. Curley:

Officer Scott Curley. I work out of the East Liberty Zone 5, too.

Mr. Hoffman:

Officer Michael Hoffman, Zone 5, East Liberty. I'm in my third year.

Mr. Hodges:

Officer Forrest Hodges out of Zone
1. I'm in my third year.

Mr. Hohos:

Officer Tim Hohos. I work out of Zone 5, East Liberty. I'm in my third year.

Mr. Novakowski:

Officer Joseph Novakowski. I work for the SWAT Division. I'm also in my third year.

Mr. Barthelemy:

Officer Barry Barthelemy. I work out of Zone 5 in East Liberty. I'm also in my third year.

Mr. Jellison:

Detective David Jellison. I work in Investigations.

Mr. Valenta:

Lieutenant William Valenta. I'm currently assigned to Chief McNeilly's Office.

Mr. Cusick:

Thank you all for coming down.

The Chair:

Thank you and congratulations for your hard work. Councilwoman McDonald I believe you have a couple to be read into the record.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

No. 1257 WHEREAS, in 1946 Cornelius Dorsey opened Dorsey's Records on Frankstown Avenue. In the 50 years the store has been in business, three generations of the Dorsey family have made many tangible and intangible contributions to the community; and

WHEREAS, Mr. Dorsey, his father and brother were the only African-Americans at Victor Records in East Liberty with the ability to repair phonographs and radios. When the plant was forced to close during the Depression, Cornelius Dorsey opened his own store which has developed into a business that specializes in selling R&B, jazz and gospel music; and

WHEREAS, Dorsey's Records has not only given African-Americans in the community a place to buy music, it has also worked to foster an environment of respect for customers that they deserve. The long-lasting relationship between the city and Dorsey's Records has since expanded to include customers from as far away as Ohio and West Virginia; and

WHEREAS, under the current ownership of Neil Dorsey, the family is beginning to establish other businesses that will give African-Americans an opportunity to excel and to help strengthen and build the neighborhoods.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the Dorsey Family for its long-standing service to the people of the city and recognizes Dorsey's Records as an outstanding example to the business community.

Also.

No. 1258 WHEREAS, on Sunday, November 3, 1996, La Roche College in partnership with the Aurora Reading Club will honor a labor pioneer with the formal opening reception for the Maida Springer-Kemp Collection on Women and Labor; and

WHEREAS, the illustrious career of Maida Springer-Kemp began in 1933 when she joined the Dressmakers' Union, Local 22, of the International Ladies' Garment Workers' union. She was the first African American woman to represent the American Federation of Labor abroad; and

WHEREAS, Mrs. Springer-Kemp expanded opportunities for women workers and fought sex and race discrimination with both the workplace and the labor movement. She was an advocate for women and garment workers across the United States and in the 1960's she helped to establish the Institute for Tailoring and Cutting for women in Kenya's garment industry; and

WHEREAS, the Maida Springer-Kemp Collection on Women and Labor was established at La Roche College as a repository for books, periodicals, research materials and artifacts that give voice to the contributions that Mrs. Springer-Kemp and other union pioneers made to labor history; and

WHEREAS, by undertaking this project, La Roche College has furthered its commitment to be a community resource. Through this collection, the college is documenting and preserving that which was vital to the labor movement's global development.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends La Roche College for its activism on behalf of the community and joins the college as it honors Maida Springer-Kemp for her contributions to women and workers across the country.

Mr. Cohen moved to adopt the resolution.

Mr. O'Connor seconded the motion.

Which motion prevailed.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

With me I have Jeff Norr from Amnesty International. This morning I had the privilege of meeting with the delegation from out sister city in China and most of our discussions were about how City Council operations. afternoon they are meeting with leaders of the business community of Pittsburgh to try to enhance our trade and manufacturing base. There are some problems especially concerning their labor and their record on fair trade and their abusive labor and a lot of other problems that we will discuss here in the resolution. I would hope that these things could also come to light and we start an open dialogue with China.

MR. O'CONNOR PRESENTS:

No. 1259 WHEREAS, the 1985 report on human rights submitted by the U.S. State Department to Congress in March 1996 concluded that China's human rights record continues to worsen; and.

WHEREAS, Amnesty International reports that hundreds of political activist and members of ethnic and religious groups have been arbitrarily arrested, many detained without charge or trial or sentenced to prison terms after unfair trials, with torture and ill treatment of prison terms after unfair trials, with torture and ill treatment of prisoners widely reported; and,

WHEREAS, two years after President Clinton declined U.S. trade policy toward China from that country's human rights record stating that it would "offer on the best opportunity to lay the basis for long-term sustainable progress in human rights," widespread and well-documented human rights abuses continue; and,

WHEREAS, Pittsburgh members of Amnesty International, a renowned world-wide human rights organization are currently engaged in an intensive international campaign to bring world-wide attention to human rights abuses in China; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City Pittsburgh recognizes China's importance as an emerging economic power; be it further resolved that May Tom Murphy and the Pittsburgh based China-American Trade Society currently discussing trade and investment opportunities with our sister city, Wuhan, China. We, the Council of the City of Pittsburgh fully appreciates the need to maintain a dialogue with China and hope that that dialogue includes a positive discussion on human rights concerns with Chinese business people, employees, and Chinese government authorities; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh respectfully requests that the delegation from Wuhan, China, take the time to meet with representatives of the Pittsburgh Chapter of Amnesty International in order to engage in a constructive dialogue relating to human rights, prior to their leaving the City of Pittsburgh.

Mr. Ricciardi moved to adopt the resolution.

Mr. Cusick seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Jeff, I want to thank you for coming. Do you want to tell us a little bit more about what you're doing and what you're attempting to do.

Mr. Norr:

First of all, on behalf of Amnesty International Group 39, we thank City Council for this resolution and thank Bob O'Connor for introducing it. We sincerely appreciate your ongoing concern for human rights issues in China. We urge you whenever opportune to rise the issue of human rights violations in China with Chinese Authorities.

Specifically, we ask you to rise the issue of Won Dun who is recently sentenced to 11 years imprisonment. It is clear that the crimes imputed to Won Dun and now no more than a peaceful exercise of his fundamental rights to freedom of expression and association and that his activities did not present a threat to legitimate national security interest. The indictment provides no evidence that his activities involved in any way a threat of the use of force or violence. The Amnesty International considers Won Dun's detention a violation of International standards and urges the government to release him immediately and unconditionally. We thank you again very much for this resolution.

The Chair:

Thank you. Councilman Cohen.

Mr. Cohen:

I just want to take a moment to thank Councilman O'Connor for bringing this forward and also the gentleman from Amnesty International. It's a very, very important group and I'm glad that you came here in these Council Chambers. We don't often engage, sometimes but rarely, in international relations, but it's nice to have you here because there's a Pittsburgh component to this, of course. And, that is on one hand trade policy, but on the other hand human rights. Won Dun is a very brave young man and for him to receive the kind of punishment that he did is truly beyond the pale. So, human rights has got to be a factor in our relations, maybe not the only factors. There are others as well, of course. And, as Councilman O'Connor said in his resolution, our national interest, economic interest as well, but human rights have got to be a factor and the Amnesty International really allows that to happen. So thank you for coming here this morning.

The Chair:

Thank you very much. Councilman Ricciardi has one to be read into the record recognizing the Birmingham United Church of Christ in his community.

MR. RICCIARDI PRESENTS:

WHEREAS, the Birmingham United Church was founded as the German United Evangelical Congregation of Birmingham on January 5, 1846 and the Congregation's first church was constructed at Tenth and Bradford Streets in the former Borough of Birmingham,

now Pittsburgh's South Side neighborhood; and

WHEREAS, in 1867, a new church building was dedicated at 1720 Jane Street with parsonage at 17th and Jane Streets; and,

WHEREAS, in 1943 a church building fund was started and in 1951 the Birmingham United Church of Christ dedicated the building at its present location, 25 Carrick Avenue; and

WHEREAS, continuing the tradition of service to the residents of Pittsburgh the Birmingham United Church of Christ started the "Marvelous Mondays" program in 1993 to help foster education of community children; and

AND, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh congratulates the Birmingham United Church of Christ on 150 years of service to the South Side, Carrick, and the City of Pittsburgh; and

BE IT FURTHER RESOLVED that Sunday, November 10, 1996 is declared Birmingham United Church of Christ Day in the City of Pittsburgh.

Mr. Cusick moved to adopt the resolution.

Ms. McDonald seconded the motion.

Which motion prevailed.

The Chair:

That resolution was co-sponsored Councilman Cusick as well.

The concludes our Read and Adopted. Moving to Presentation of Papers.

Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President Ferlo.

The Chair:

Thank you Councilman Cohen.

PRESENTATIONS

MR. COHEN PRESENTED:

No. 1261 Resolution repealing Resolution No. 470 approved June 13, 1988 entitled "Providing for a contract or contracts or the use of existing contract or contracts to purchase foam concentrate to be used by the Fire Suppression Division, Bureau of Fire and providing for the payment thereof" at a cost not to exceed \$15,400.00 chargeable to and payable from the Department of Public Safety, Bureau of Fire, CA 1463, Supplies and Materials.

Also,

No. 1262 Resolution repealing various Resolutions for the years 1985, 1988, 1992 and 1993 in the Department of Public Safety.

Which was read and referred to the Committee on Public Safety Services.

The Chair:

Councilman Cusick, Committee on Parks, Recreation & Youth Policy.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Councilman Cusick.

MR. CUSICK PRESENTED:

No. 1263 Resolution repealing various Resolutions for the years 1986, 1987, 1988, 1989, 1990, 1992, and 1993 all within the Department of Parks and Recreation.

Which was read and referred to the Committee on Parks, Recreation & Youth Policy.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTED:

No. 1264 Resolution repealing Resolution No. 1980 approved March 15, 1994, entitled "Providing for the leasing from Robert Wagner, Owner, for a parcel of land and building located at 1555 Broadway Avenue, Pittsburgh, Pennsylvania, 15216, in the 19th Ward, for the purpose of establishing a Community Oriented Police mini station, for a term of one (1) year commencing upon the execution of the lease, but not later than March 31, 1994, at no rental cost to the City. The City will assume the cost of utilities, not to exceed Fifty dollars (\$50.00) a month."

Which was read and referred to the Committee on Lands, Building and Procurement.

The Chair:

Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman McDonald.

MS. MCDONALD PRESENTED:

No. 1265 Resolution Approving Execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Riverview Terrace Housing Partnership, L.P. for the sale of Part of Parcel C and Parcel 130B - Western Restoration Project in the Fifth-Ward of the City of Pittsburgh - 2851 Bedford Avenue (rear), Council District No. 6

MS. MCDONALD moved to suspend Rule 8 by providing for consideration of the bill only until or after the calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Also,

No. 1265 Resolution providing for an Agreement or Agreements with the Urban League for the provision of Housing Counseling Services at a cost not to exceed \$97,000.00, chargeable to and payable from the 1996 CDBG Program, Housing Authority, City of Pittsburgh, Project No. 04-65-01-1145-96-556-96-65.

Which were read and referred to the Committee on Housing Economic Development and Promotion.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No papers, Mr. President.

The Chair:

Thank you Councilman O'Connor.

Mr. Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTED:

No. 1267 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "R2" Two-Family Residence District and "M2" Limited Industrial District to "C4" Commercial District certain properties having frontage on both side of Chatham Square on the northerly side of Forbes Avenue, on the westerly side of Marion Street, and the southerly side of Watson Street, 1st Ward.

Also,

No. 1268 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12, by changing from "R4" Multiple-Family Residence District to "RP" Residential Planned Unit Development District certain property known as "Aliquippa Terrace" of the Housing Authority of the City of Pittsburgh having frontage along Burrows Street, Wadsworth Street, Waring Court and Robinson Court, 4th and 5th Wards, Council District 6.

Also,

No. 1269 Ordinance Amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "R2" Two-Family Residence District and "M2" Limited Industrial District to "C4" Commercial District certain properties having frontage on both sides of Chatham Square, on the northerly side of Forbes Avenue, on the westerly side of Marion Street, and the southerly side of Watson Street, 1st Ward.

Also.

No. 1270 Resolution Approving a conditional use exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Duquesne University of the Holy Ghost for authorization to renovate and occupy an existing six-story structure at 711 Forbes Avenue for use as classrooms and administrative office space, with parking to accommodate 45 automobiles, on property zoned "I-C" Institutional-Civic District. 1st Ward.

Also,

No. 1271 Resolution Repealing various Resolutions for the years 1991 and 1993 in the Department of City Planning.

Which were read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1272 Resolution Transferring the amount of Four Hundred Fifty Thousand (450,000.00) Dollars from various Code Accounts within the Department of Public Works to other various Code Accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 1273 Resolution Granting into Coltervahn Dairy, Inc.. 1601 Brownsville Road. Pittsburgh, Pennsylvania 15210, their successors and assigns, an encroachment to construct. maintain and use at their own cost and expense, a storm sewer under a portion of the sidewalk on Dellrose Street in the 29th Ward, 4th Council District of the City of Pittsburgh.

Also,

No. 1274 Resolution Granting unto Mellon Bank, 1425 Fifth Avenue, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a handicap ramp on a portion of the sidewalk area, Fifth Avenue and Pride Street in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Also,

No. 1275 Resolution Granting unto Kenneth and Deborah McGowan, 3668 Celina Place, Pittsburgh, Pennsylvania 15204-1105, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence on a portion of the right-of-way on Celina Place in the 28th Ward, 2nd Council District of the City of Pittsburgh.

Also,

No. 1276 Resolution Granting unto Conrail, 425 Holiday Drive, Suite 215, Pittsburgh, Pennsylvania 15220, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a safety barrier and ground anchor heads on the right-of-way at the east of the intersection of Arlington Avenue and East Carson Street in the 18th Ward, 3rd Council District of the City of Pittsburgh.

Also,

No. 1277 Resolution Granting unto Ronald and Sue Corbett, 2010 Wrights Way, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a porch, set of steps and canopy on the right-of-way on Wrights Way in the 17th Ward, 3rd Council District of the City of Pittsburgh.

Also,

Resolution Accepting No. 1278 the dedication of Mero Way West of Brighton Place as shown on the Pennsylvania-Brighton Plan of Lots Addition No. 1 in the 25th Ward, 1st Council District of the City of Pittsburgh for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing grading, paving, curbing and sewering thereof. Land is dedicated for road purposes 3,680 sq. ft + and located between the easterly line of Marquis Way and the western line of Brighton Place. identified in the David Shafer Plan of Lots as recorded in Allegheny County Plan Book Volume 3, page 241.

Also,

No. 1279 Resolution Accepting the dedication of Jacksonia Street, 50 feet wide, on the northerly line of Lot 3 in the Pennsylvania-Brighton Plan of Lots in the 25th Ward, 1st Council District of the City of Pittsburgh for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing grading, paving, curbing and sewering thereof.

Also.

No. 1280 Resolution Accepting the dedication of Mero Way West of Brighton Place as shown on the Pennsylvania-Brighton Plan of Lots Addition No. 1 in the 25th Ward, 1st Council District of the City of Pittsburgh for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing grading, paving, curbing and sewering thereof. Land is dedicated for road purposes 5,547 sq. ft. + and located between the easterly line of Brighton Place and the westerly line of McCullough Street, identified in the B. Gray's Plan of Lots as recorded in Allegheny County Plan Book, Volume 4, page 186.

Also.

No. 1281 Resolution Vacating a portion of Mero Way between Brighton Place and McCullough Street in the 25th Ward. 1st Council District of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Ricciardi for Mr. Udin, Committee on Finance and Budget.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1282 Resolution providing for the transfer from Non-Departmental Code Count 41, Refunds - Real Estate Taxes, Index Code 004101, to Non-Departmental Code Account 44-1, Unemployment Compensation Fund, Index Code 004416, \$25,000 (Twenty-Five Thousand Dollars).

Also.

No. 1283 Resolution providing for the conveyance of real estate owned by the City of Pittsburgh and Known as the Hill House Multi-Purpose Center to the Hill House Association, a non-profit corporation.

Mr. Ricciardi motion to

Mr. O'Connor seconded the motion.

Which motion prevailed.

Also.

No. 1284 Resolution Repealing various Resolutions for the years 1987 and 1994 in the Water Department.

Also,

No. 1285 Resolution Repealing various Resolutions for the years 1986, 1990 and 1992 in the Mayor's Office.

Also,

No. 1986 Resolution Repealing Resolution No. 238 approved March 2, 1987, entitled "Providing for a Contract or Contracts for the purchase of computer anti-static. anti-glare and anti-VLF radiation screens for the Department of City Information Systems and various departments within the City of Pittsburgh, at a cost not to exceed Sixty Thousand (\$60,000.00) Dollars, chargeable to and payable from Code Account 1045, Index Code 104505, Mayor's Office, City Information Systems Office.

Also.

No. 1287 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to transfer its rights, title and interest, if any, to certain property in the City of Pittsburgh adjacent to Beltzhoover Elementary and Carrick High School respectively to the School District of Pittsburgh for land improvement.

Also,

No. 1288 Resolution providing for the conveyance by the City of Pittsburgh of certain real property to the Public Parking Authority of Pittsburgh, transfer of \$2,600,000.00 to the Public Parking Authority of Pittsburgh and the acceptance of a right-of-way by the City of Pittsburgh.

Also,

No. 1289 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Any other bills to be introduced? That concludes our introductions.

Are there any matters that should be brought before the body under Unfinished Business or Reports of Special Committees?

I believe we received a copy of a memo from the Solicitor of the Wilkinsburg Borough addressed to our Solicitor and cc'd to Council. I'll call your attention to that today in the mail.

Any other matter?

UNFINISHED BUSINESS

Councilman Onorato do you want to give a brief update on our meeting this morning on the whole Historic Designation Subcommittee we created.

Mr. Onorato:

This was a third or forth meeting with the representatives from the Realtors Association being present, representatives from the Historical Review Commission, Councilman Hertzberg, Councilman Ferlo and myself. We had all the parties present at the table to talk about somehow improving the historical designation process. As you recall, there was a compensation bill in front of us that had at least six votes, but it required seven and this sort of led us into this process.

I'm happy and pleased to report that it appears that we've come to a compromise that all of the parties that I've mentioned can agree to this compromise and legislation is being drafted as we speak. We're going to have final review, our subcommittee, in about two weeks and that will be presented to Council for a discussion for the entire body. Addressing issues such as notification, the super vote requirement on owners that might be opposed and other issues dealing with opposition coming out of district designation. It appears that we've reached some middle ground that we can all live with and we'll look forward to the rest of the body to debate it and hear your concerns and comments and possible amendments, if any, at that time.

The Chair:

Thank you very much. It was a good subcommittee. I want to thank everybody's involvement and for their hard work and they will be forwarded to all colleagues proposed draft guideline changes to the ordinance. It is our hope that we can have a public hearing and

move on adopting these changes. Many of the changes come out of the consultant report that was contracted for by previous administration and previous City Council. A number of those recommendations as well as other concerns that Councilman Hertzberg, Councilman Onorato others have made in relation to the process in the manner in which we designate not only districts but also individual pieces of property. So, it's a good proposal that will be coming forward and I would ask that colleagues review the proposal when it comes out as well and refer back to the Clarion document for further amplification on the issues

Any other matter under Unfinished Business or Reports of Special Committees?

Councilman Ricciardi.

Mr. Ricciardi:

Just a follow-up question, Mr. President regarding the public hearing I believe we're having for Historic Designation nomination of the site in Oakland which is now a parking lot site. When is that going to occur, that public hearing?

The Chair:

I think the bill was just introduced today. So, we have not scheduled a public hearing yet. I believe it was introduced last week, I think.

Mr. Ricciardi:

I'd like to better understand --

The Chair:

The proposal of the subcommittee, however, is that anything that's currently in the offer we would review based on the existing guidelines, but it's my hope that we can modify the Ordinance and give consideration to the two issues that are before us presently. One is the Syria Moss Site, a vacant property as well as a proposal for rezoning a district on the Northside, Deutsche Town Square.

Mr. Ricciardi:

Well, I'm just trying to understand that there maybe some legal arguments on both sides; however, my point of view is that I would like to see some of the recommendations from this very important subcommittee, chaired by Mr. Onorato regarding even the two nominations. I'm not sure if that's possible if we just have to deal with the regulations that are in code now. But, it's something I would like, personally, to discuss with the Solicitor before those public hearing.

The Chair:

Personally, I don't think there's any great need to act on either of the two other designations whether it be Oakland or the North Side. I'd like to first modify the Ordinance and, then, see if it's in keeping with the new nominations. But, that's really up to all of Council. I think we can do any changes in the Ordinance by the middle of December. Maybe even take up to two other properties before the end of the year. If not, we can wait until January.

Mr. Ricciardi:

The only other question I ask if there's a legal question since the nominations already have been submitted.

The Chair:

Nothing that we're presenting in modifying the Ordinance of Historic Designation require any change or any legal status as it relates to property rights or issues that have already been addressed by the Court.

Mr. Ricciardi:

Okay.

The Chair:

Of course, that's my view. Councilwoman McDonald.

Ms. McDonald:

On another matter?

The Chair:

Yes. We're under Reports and Special Committees or --

Ms. McDonald:

Unfinished Business?

The Chair:

Yes.

Ms. McDonald:

Yes, Unfinished Business, Mr. President I just wanted to publicly state that I would like to extend an commendation to three Wilkinsburg

Borough Council Woman, Ms. Astrik Ware, Ms. Kare Witfield and Ms. Linda Perkins for at last weeks Borough Council Meeting to express the same sentiments that many of us do have for the impact that any new Waste Management Facility would have in an immediate residential area. They voted no. They preferred also to have at least 30 days to talk with the citizens and make sure that it was pliable. I do want to publicly thank them for that. At least I know there is at least three Councilmembers, possibly four that I know that I can talk with about a regional approach to how we build this greater Pittsburgh area.

I also want to say that I will be continuing my dialogue with the City Administration, City Planning, the Fire Department, etc., to look at ways that we can mitigate the amount of impact that trucks would have within that area. Again, it's not far fetched to look into a Waste Transfer Facility even in the Pittsburgh area, but not one that's going to impact upon residents. We have a lot of space here. I'm going to continue my dialogue on behalf of the community and thank you all.

The Chair:

I would ask -- Councilman O'Connor.

Mr. O'Connor:

Did they vote? I thought the vote was last week.

Ms. McDonald:

Yes. They voted for the zoning change.

Mr. O'Connor:

How many Council people do they have?

Ms. McDonald:

They have nine, but one was absent. She was in the hospital. They voted to go ahead with it.

Mr. O'Connor:

Thirty days or --

Ms. McDonald:

No, they voted period. No, they didn't even -- they would not entertain our request for a 30 day reprieve or a 30 day delay in the vote. They did not honor that.

The Chair:

I would ask just as a follow-up on recognition of a formal vote by the Wilkinsburg Borough of Council in support of the rezoning of that property. I don't know the legal issues, but I would ask that the City Solicitor review the issue and report back to this Council on the issue that there is an automatic 30 day right of appeal on any rezoning of I'd like to know from the property. Solicitor whether or not we have any standing to raise, concerns or objections as to the actual rezoning within this 30 day period and if we need to take any filing or any formal action to safeguard our standing later on. If she could please communicate on that issue. Recognizing the impact issues that all of Council and the residents are concerned about. I'm particularly concerned right now.

strategically, about whether or not we need to do anything within this 30 day period as it relates to rezoning. All be it, we are a separate municipality.

Councilman Cohen.

Mr. Cohen:

We did formally communicate with the Solicitor last week as a general matter, not specifically to what you're talking about, but to give us all of the options that are available, correct?

The Ferlo:

Why don't we reiterate both request again?

Mr. Cohen:

Did we give her a deadline? We ought to do that if we haven't.

The Chair:

I do not believe we gave her a deadline.

Ms. McDonald:

Councilman Cohen, we received the actual contractors or development agreement that Waste Management has with the Borough of Wilkinsburg. We received that from Timothy Barry, Wilkinsburg's Solicitor. But, as far as a response or an analysis assessment by our own Solicitor, no. I haven't received anything.

The Chair:

Well, let's reiterate both request and try to put a 15 day timeframe on that request.

What is the overall analysis and what progress we have as a municipality or as an adjoining property owners in Homewood to object to the character of the development or expansion and also, more immediately, do we need to take any action within this 30 day right of appeal on the actual rezoning of the property. If we could please have the Clerk communicate to the Solicitor on behalf of Council.

Any other matter under Reports of Special Committees? Moving to Reports of Committees. Committee on Finance and the Budget, Councilman Ricciardi for Mr. Udin.

We have a number of bills. One was a negative recommendation. We can read that first. I, probably, would like to suggest that we recommit that Bill, Bill 1218.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Councilman.

REPORTS OF COMMITTEES

MR. RICCIARDI PRESENTS FOR MR. UDIN:

Bill No. 1218

Reports of Committee for Finance and the Budget for October 30, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation.

No. 1218 Resolution providing for the transfer of \$35,000 (Thirty-Five Thousand Dollars) from Department of Finance Code Account 1060, Salaries Regular Employees, Index 106005, to Department of Finance Code Account 1061, Salaries Temporary Employees, Index Code 106104 all within the Department of Finance.

Mr. Ferlo:

This had a negative recommendation. I voted no. I did get a memo, I think Council received a memo from Mr. Fees that actually makes me want to vote no even more. I don't know what the pleasure of the body is, but I suggest maybe we just recommit. Councilman Ricciardi.

Mr. Ricciardi:

I'm going to be very frank with this body. I didn't see the memo or review it. So, I was going to make a motion to recommit.

Mr. O'Connor seconded the motion.

Mr. Ferlo:

Bill 1218 is recommitted. This is on that \$35,000 (Thirty-Five Thousand Dollars) for student stipends. I think if you read the memo you'll probably would be more upset.

Under remaining bills.

Also,

With an affirmative recommendation.

No. 1198 Resolution providing for the issuance of a warrant in favor of Union Metal Corporation in the amount of \$2,380.00 in payment of special lane control signal pole structure damaged by a tractor trailer in an accident.

Also,

No. 1216 Resolution providing for the issuance of a \$1,320.00 warrant in favor of Adella Karpuszka in settlement of claim for sidewalk damage due to City tree roots.

Also,

No. 1217 Resolution providing for the issuance of a \$6,550.00 warrant in favor of Edward E. Wiernik in settlement of claim for sewer line damage due to City tree roots.

Also,

No. 1219 Resolution providing for conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale And Collection Act".

Also,

No. 1220 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984. "Second Class City Treasurer Sale and Collection Act".

Also.

No. 1221 Resolution providing for the conveyance by the City of Pittsburgh of certain property under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act".

Also,

No. 1222 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act".

The Chair:

You've heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no. Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)
Mr. O'Connor

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Public Works, Water & Environmental Services, Councilman Ricciardi, Chair.

Mr. Ricciardi:

Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTS:

Bill No. 1204

Report of Committee on Public Works, Water and Environmental Services for October 30, 1996 transmitting sundry resolutions to Council.

Which was red, received and filed.

Also, with an affirmative recommendation.

Resolution amending No. 1204 Resolution No. 615, effective August 16, 1996, entitled. "Providing Agreement or Agreements, or the use of existing Agreements, for the furnishing of professional services for the benefit of the residents of the City of Pittsburgh effective January 1, 1996 and providing for the payment of the cost thereof with is not to exceed Three Hundred Fifty Thousand (\$350,000.00) Dollars. chargeable to and payable from Doe Account 4-01-35-0077-96-500-96-01, City Source Associates, Index Code 618207, Department of Public Works"

increasing the total allocation by \$100,000.00.

Also.

No. 1205 Resolution amending Resolution No. 273, effective April 26, 1996, entitled, "Providing for a Contract or Contracts, or the use of existing Contracts, for street resurfacing programs such as ultra thin hot mix asphalt, hot mix asphalt, crack sealing, micro surfacing, sawing and sealing, nova chip, flexible pavement, asphalt milling and truck rental, brick and blockstone repairs, concrete slab replacement and parks related asphalt work and providing for the payment of the cost thereof", by increasing the total allocation by \$500,000.00.

Also,

No. 1207 Resolution granting unto Carnegie Library of Pittsburgh, 279 Fisk Street, Pittsburgh, Pennsylvania 15201, their successors and assigns, an encroachment t construct, maintain and use at their own cost and expense, a handicap ramp, stairs and landing on a portion of the sidewalk area on Fisk Street in the 9th Ward, 7th Council District of the City of Pittsburgh.

Also.

No. 1208 Resolution granting unto Penn Avenue Place Associates, L.P., 501 Penn Avenue, Pittsburgh, Pennsylvania 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, for the installation of an entrance canopy over a portion of the sidewalk area on Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Also.

No. 1209 Resolution granting unto East Liberty Quarter Chamber of Commerce, 5907 Penn Avenue, Suite 305, Pittsburgh, Pennsylvania 15206, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, to erect one single-faced community sign on the right-of-way of the island area on Penn Avenue & Penn Circle West in the 11th Ward, 9th Council District of the City of Pittsburgh.

Also,

No. 1210 Resolution granting unto the Pittsburgh Cultural Trust, owner, LaPrima Espresso Company, Lessee, 811 Liberty Avenue, Pittsburgh, PA 15222, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Liberty Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Also.

No. 1211 Resolution granting unto Bruschetta's, 1831 East Carson Street, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on S. Nineteenth Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

The Chair:

You've heard the reading and titles of the bills, is there any discussion?

Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President and colleagues. Just on two issues. One is the bill increasing the amount of dollars for resurfacing the street. Several of months ago someone innocently mishandled a number and Director Ralph Kirchesky correctly pointed out and Mr. Bob O'Connor correctly advocated for non CD neighborhoods. Neighborhoods such as Squirrel Hill, Highland Park, Shadyside, Beechview, Brookline in order to make sure there was proper paving of roads in that district.

We really want to thank Mr. O'Connor for recognizing that. I had missed it. I want to thank Director Kirchesky for pointing it out.

Also, I really want to thank Director Kirchesky, colleagues, on the one note. We realized that there was a need for increase cleaning of vacant lots here in the City of Pittsburgh, clearing debris, cutting the grass and I had sponsored legislation of increasing city source by \$100,000.00 (One-Hundred Thousand Dollars) which will put on two extra crews. This was not only supported by the colleagues here, but it reset our priorities and I really want to thank Ralph Kirchesky because usually a Director could sit by and say you can't shift dollars around like this in my budget. I think he understood the need, he supported us and there was not a problem on there. I think that's real team work by Ralph Kirchesky on that one bill. And, by Bob O'Connor and Ralph Kirchesky on the other bills. I'd like to thank all parties involved.

The Chair:

Thank you. Any other discussion?

I wasn't please to learn that the graffiti crew was eliminated. I don't know if that's true or not.

Mr. Ricciardi:

I'm not sure if it was eliminated. The Administration tried to keep them on as long as possible. As you, probably, know Councilman Ferlo, they are parttime, they only work six months, they've never been twelve months a year.

The Chair:

I know but I thought in the last budget with all the fan fare from the Mayor who's taking great pride and making grand pronouncements about graffiti and it was, I thought, at least discussed last year as part of the budget that the graffiti crew, an individual in particular, would be full-time and they would work throughout the year on a 365 day basis. I only ask that we look into that since we're tossing various code accounts around.

Mr. Ricciardi:

I will look into that and have a memorandum for you. I don't recall that particular discussion. I realize that we tried to keep them on a few months longer because there's that new program which has been a big success where private property owners can actually have graffiti removed at taxpayers expense.

The Chair:

Well, before we clean private property owners, I wish we'd clean our own city property like Leslie Pool and a lot of other places in my district. I hope that Mr. Walko's bill passes allow property owners to file a suit because I'll have to file action against our own city.

Mr. Ricciardi:

Just to end that, maybe that's something we can talk about during the budget time if this Council believes that they should be on twelve months a year. I'm sure those two individuals, one lives in my district and one lives, I believe, in the East End would love to come on full time and do the work.

The Chair:

Thank you. I don't know where they live, but I know they work hard and we have a glaring need for rapid responses as it relates to graffiti, in particular, our own building is a problem. If our own building continues to have graffiti, I don't know how we can site private property owners and housing court, but that's another battle.

Councilman O'Connor.

Mr. O'Connor:

On that issue, let me ask you a question. I've noticed a lot more on mailboxes. Were we doing that or do you have to call the post office.

Mr. Onorato:

I can answer that because I had this problem in my district.

The Chair:

Councilman Onorato.

Mr. Onorato:

They attacked one neighborhood and we had a bridge, the mailboxes and private property and, actually, the Mart Media structure, too. The post office in Mart Media when we notified them came out immediately. The post office is responsible. If you see any of their facilities with marks on them just call them and they'll be out within seven days or that week and they'll have it cleaned. The slowest, actually, are the city properties by getting it removed.

I'll just remind you Mr. President that the Pittsburgh code does have the Youth Offender Work Correll which I sponsor and had unanimous support here. A lot of these youth that are being caught, we can put them to work cleaning graffiti, it seems like everybody is afraid to do it. I think we should utilize them

The Chair:

We need to do that. But, it would be helpful if we had our own work group and, then, they could be augmented by the community service.

If it comes down to voting for a deputy mayor or graffiti removal, I'm voting for graffiti removal.

Any other discussion? Roll call vote.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo

Ms. McDonald Mr. O'Connor (Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes has been approved finally.

Committee on Parks, Recreation & Youth Policy, Councilman Cusick, Chair.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Councilman Cusick.

MR. CUSICK PRESENTS:

Bill No. 1015

Reports on Committee for Parks, Recreation & Youth Policy for October 30, 1996 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1015 Resolution providing for a Lease or Leases and/or License Agreement for the use of certain City property by the School District of Pittsburgh, in connection with the Bloomfield Head Start Center, at a cost not to exceed \$500.00 per month.

The Chair:

Remember this bill was amended. You heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is none ready for final action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)
Mr. O'Connor

NOES:

AYES: 8 NOES: none

The Chair:

The bills having receive the legally required number of votes has been approved finally.

Committee on Public Safety Services, Councilman Cohen, Chair.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

MR. COHEN PRESENTS:

No. 1195

Report of Committee on Public Safety Services for October 30, 1996 transmitting sundry resolutions to Council

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1195 Resolution providing for the letting of a contract or contracts or use of existing contracts for the furnishing and delivery of office equipment for the Department of Public Safety, Bureau of Building Inspection and providing for the payment at a cost not to exceed \$15,261.00.

Also.

No. 1223 Resolution amending Resolution No. 965, approved September 28, 1981, entitled, "Resolution authorizing the City Controller to create a special trust fund to be designed CODE TRUST FUND into which there shall be deposited money charged for the purchase of all Building, Fire and Mechanical Codes and Pittsburgh Supplements to the Code, and authorizing the Director of Housing to purchase such Codes", by changing the title of the trust fund to read BOCA CODE TRUST FUND, and by changing the department that purchases the Codes to read DEPARTMENT OF PUBLIC SAFETY.

The Chair:

You have heard the reading and titles of the bills, is there any discussion? Councilman Cusick.

Mr. Cusick:

Just on Bill 1199, Mr. President, I still feel that we need to hold a postagenda in regards to the Fort-Pitt Boulevard or Market Street, the Bridge that's going --

The Chair:

No, no, no, is that the Committee on Engineering and Reconstruction or is that on --

Mr. Cusick:

I'm sorry. I apologize, you're correct.

The Chair:

Is that on the next committee?

Mr. Cusick:

Yes, it's the next committee.

The Chair:

Thank you for reminding me. I almost forgot, I voted no on it.

Any other discussion? Hearing none the bill is now ready for final action.

All in favor of the passage of the bill vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)

Mr. O'Connor

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes has been approved finally.

Committee on Engineering & Construction, Councilman O'Connor, Chair.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Mr. O'Connor.

MR. O'CONNOR PRESENTS:

Bill No. 1199

Report on Committee on Engineering and Construction for October 30, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1199 Resolution further amending Resolution No. 1327 effective December 23, 1982, as amended by

Resolution No. 820, effective September 30, 1983, as amended by Resolution No. 612, effective August 3, 1989, as amended by Resolution No. 637, effective July 5, 1990, as amended by Resolution No. 567, effective May 13, 1992, as amended by Resolution No. 329, effective April 26, 1993, as amended by Resolution No. 1424 effective December 31, 1993, as amended by Resolution No. 383, effective June 5, "Providing 1995. entitled. Agreements. Agreement or Supplemental Agreement or Agreements with a Consultant or Consultants, for Engineering Services in connection with the Rehabilitation of a portion of Fort-Pitt Eastbound Boulevard and Rehabilitation of the Market Street Overpass; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation: providing for the payment of the cost thereof," by increasing the total project allocation by \$575,000.00.

Also.

No. 1200 Resolution amending Resolution No. 270, effective April 26, 1996, entitled, "Resolution Providing for an Agreement or Agreements with the Park Reconstruction Program/Hammer Court for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$11,968,00 Dollars Index No. 618595, chargeable to and payable from the 1993 CDBG Program, City Council", by amending the title to allow for expenditures by use of existing Contracts and to include Code Accounts.

Also,

No. 1201 Resolution amending Resolution No. 269, effective April 26, 1996, entitled, "Resolution providing for an Agreement or Agreements with the Parks Reconstruction Program/Saline Street Playground for the benefit of the residents of the City of Pittsburgh, at a cost not to exceed \$13,998.75, Index Code No. 618579, chargeable to and payable from the 1992 CDBG Program, City Council", by amending the title to allow for expenditures by use of existing Contracts and to include Code Accounts.

The Chair:

You have heard the reading and titles of the bills. Is there any discussion? Councilman Cusick.

Mr. Cusick:

On Bill 1199, it seems like we're not totally thinking this one out. We have a great opportunity and I hope this Council doesn't miss the boat or the bridge on this one.

To connect the east with the south by moving that bridge up river, whether it's Grant or Ross whichever one the engineers seem fit. I still think we have a great opportunity to connect it with the East Busway and we shouldn't pass that up.

I don't know at this point whether or not we should be considering repealing the legislation that this Council passed last year. I know for one thing, we should be holding a post-agenda and discussing this with our engineers, with some of the state engineers, with Port Authority to see where we're at with this whole thing. If it doesn't fit for Pittsburgh, then, we should

probably re-evaluate exactly what's going on

I'm going to go ahead and vote for this today and I would hope, Mr. President, and I request that you would set a post-agenda in regards to this piece of legislation or this project.

The Chair:

Thank you. I'm not sure how I voted in this committee section because this bill is so depressing. I'm all for the riverfront park and I certainly applaud Mayor Masloff and the new Mayor for their envisioning some creativity when it comes to roadways, not just looking at the bricks and mortar but an opportunity to do something to create a more important ambiance along our riverfront. I'm very much for, obviously, the upgrade of the Fort-Pitt Boulevard Corridor as it relates to the Boulevard, as it relates to the idea of a riverfront park even if it's overhead. I'm all for that. This is still the most idiotic bridge I've ever heard of in all my time in Council. It is also not only a bridge to the 18th Century because it's going to end up a historic. It's not a bridge to the 21st Century. Really, it probably can be best described as a bridge to nowhere because you're going to have this bridge all of a sudden end up at the foot of a little old 15 foot wide Market Street.

We have a great opportunity to have this bridge — if we're not going to use existing corridors for an HOV lane, like Smithfield Street Bridge and other corridors as has been suggested by Pittsburgh History and Landmarks, I would at least encourage us to have a bridge that directly links up to the East Busway or to some other roadway

corridor, not to just be dumped right at the foot of Market Street which to me makes no sense in terms of potential traffic and flow and backup on that bridge. It's just poor planning on our part. I just cannot, in good conscious, vote in favor of this. At this time, I'm voting no on Bill 1199.

I also think it's a slap in the face to Council especially those who actually voted for this. For the Port Authority now to rewrite or hiring another consultant at the request of first side property owners to look at reviewing different options now. They should have gone through that due diligence when this City Council frowned on this bridge.

We have the best hotel in the city, Sheraton Hotel. One of the highest occupancy rates. Part of that hotel's needs are the adjacent surface parking lot. We're going to have an enormous trestles and bridge being constructed right outside the bedroom windows of this hotel which is a slap in the face to the view and the vista that people seek when they do rent the Sheraton Hotel. For a lot of reasons, I just think this is a poorly design proposal. In any event, I'm voting no.

Any other discussion. Councilman Cusick.

Mr. Cusick:

I think you bring up a valid point. Just when we're talking about doing new development or beautifying our riverfronts we're at the same time, going to tear, probably. one of the most beautiful ecstatic pieces of property that we have here in our city, Station Square. I hope that Councilmembers and other keep that in mind that this would come right through

the parking lot adjacent to the Sheraton and you would look out of your room window and be hit with this bridge or what they would call sub-station at the top of it. It seems to me that it would be very detrimental to the Station Square property.

The Chair:

Mr. Ricciardi.

Mr. Ricciardi:

Mr. Cusick, obviously, you're Chair of the Committee. Are you supporting this bill?

Mr. Cusick:

No, I chaired the Committee last year. The Engineering and Construction --

Mr. Ricciardi:

Are you supporting this bill that's before us today.

Mr. Cusick:

I am supporting this bill just so that we can continue to move ahead. I think that what we need to do is continue to move ahead with the idea that these people sit down with us and — one of the reasons I'm doing that is because of Fort-Pitt Boulevard. I think Fort-Pitt Boulevard needs to move ahead. I don't want to stop the progress. At the same time, I think that we need to through this piece of legislation need to take a look at what's going to happen in the future. If it's not going to work for us, maybe we should come back and repeal some of this legislation.

Mr. Ricciardi:

Motion to recommit the bill, Mr. President.

The Chair:

Is there a second?

The Chair:

Any discussion on the motion to recommit?

Just on the recommit. I will point out that I believe it was conveyed to Director Reginelli said that the mass transit money has actually been taken out of the pot. I don't even know what the urgency is right now. I think we should sit back a little bit and try to involve ourselves in the scope of services that's being done by the Port Authority to revisit this whole issue.

In any event, on the recommittal. Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. On the recommittal or the bill or whatever we're talking about here. Again, my council district takes in Station Square. In fact, it takes in whatever parts of the Busway part of this project will go through.

I've been involved with this issue and the bridge and all of this since I've started in 1994 beginning with the placement in Station Square which actually has it's origin in the organization that, then, controlled all of that land, that being Pittsburgh History and Landmarks.

They wanted that bridge in Station Square where it's currently proposed to be, that's who wanted it there, Pittsburgh History and Landmarks. Of course, shortly after that, they transferred the property to the partnership between the Promise Company and Core City Development Company which is now in litigation with a number of other property owners and lease hold owners in that area over who has rights to the riverfront property.

There's just so many issues involved here. The issue of where the bridge touches down in the City of Pittsburgh and the different alternatives have definitely been studied and restudied and it's being restudied again, now. It's being restudied again now, I believe, because we have new county commissioners and we have a new board at the Port Authority, that's why it's being restudied.

I think our Director of Engineering Fred Reginelli, who I have a lot of respect for, I think he's implying that there's not going to be a different finding here, I guess we can wait and see. I'm willing to go ahead and pass this, I'm not going to be voting for recommittal.

The Chair:

Councilman Ricciardi.

Mr. Ricciardi:

Since, obviously, that is your district, is there any public agency taken through the Law of M&M Domain, the Gateway Clipper Property?

Mr. Hertzberg:

The Gateway Clipper would have to receive some compensation for any kind of relocation, any kind of shutting down, any kind of taking of their lease hold interest which would be required under the current scheme.

Mr. Ricciardi:

So, the answer is yes, then, that there will be a taken of property from Mr. John Conley of the business of the Gateway Clipper?

Mr. Hertzberg:

Yes.

Mr. Ricciardi:

And, is there future plans for their vitality here in the City of Pittsburgh?

Mr. Hertzberg:

To the best of my knowledge, there is. There has been a lot of different discussions, a lot of different alternatives. I don't know that one has been chosen yet.

Mr. Ricciardi:

If the property owner, in this case, Mr. John Conley, is he fighting the taken, do you know? I obviously don't know, that's why I'm asking

Mr. Hertzberg:

In all honesty, I'm not sure of the answer to that. I've heard a copy of different things over the last couple of years. I'm not sure exactly where that's at.

The Chair:

When we originally voted on this, it did require the Fleet to move downstream away from this bridge.

Mr. Ricciardi:

Is there property available downstream?

The Chair:

I don't know.

Mr. Ricciardi:

That's why I'll be voting for recommittal.

The Chair:

That's one of the eyebrows I raised in voting no in the first place. Councilman O'Connor and then Mr. Cusick.

Mr. O'Connor:

I support the recommittal because I'm a little concerned that maybe we didn't all ask all the questions. But, Fort-Pitt Boulevard needs reconstructed. I don't think the Fort-Pitt Bridge can be done without it or it has to be done together. Now, if this bridge, whether it comes now or never, I don't know why they have to be mixed and I'd be concerned again why we can't move this thing along especially if we lost the \$18,000,000.00 because of delays or whether they can just put it back on the table and start doing the job with or without this new bridge.

So, I'd like to ask you a question, Director --

The Chair:

Part of bridge construction is a radical redesign of Fort-Pitt Boulevard, itself. So, the idea on the part of the Engineering and Construction Department is to coordinate the two together not spend all of the money to fix Fort-Pitt Boulevard now, but fix it pursuant to the new design based on where this bridge will end up.

Mr. O'Connor:

But, it seems like if we vote for this then we're supporting the bridge where it is

The Chair:

Yes, if you vote for this you're supporting the --

Mr. O'Connor:

And, that may or may not be our intention. In other words, everybody's supporting redoing the Fort-Pitt Boulevard Parkway and Bridge. Are we going to wait another ten years. I can't understand why we can't, at least, get this thing of the diamond with or without the bridge.

I remember being two years ago being in meetings where the Fort-Pitt Bridge was going to collapse if we didn't fix it. Now, they're saying four or five more years, it won't matter. So, Penn Dot, our dear friend in Penn Dot, someone's selling us the wrong bill of goods.

Mr. Ferlo:

I remember when Jane Downing said the bridge from the stadium, the pedestrian bridge was going to be done four years ago, she put her life on the line.

Mr. O'Connor:

Maybe we need a post-agenda as to where this is all going.

The Chair:

Mr. Onorato and then Mr. Cusick.

Mr. Onorato:

I can remember when the Sarah Heinz House bridge being promised too and I'm still waiting. That's why I'm going to ask that this be recommitted because I have some question only because Penn Dot is involved and anytime they're involved I think we have to ask questions because we have to get this region to really truly speak for a region. When you start one project, we need all the editorial board and everyone talking about quit being parochial to make sure they live upto their promises. haven't done it on other projects. I want to ask some questions. I don't want to, necessarily, see this thing get defeated today, but if it's forced for a vote, I'm going to have to vote no. So, I'm going to vote to recommit to ask some more questions.

The Chair:

I would hope that if we do recommit this, as I think we should, I would hope that our colleagues would not object to having interested parties at the table, specially, the Port Authority, so maybe they can convey to us --

Mr. Onorato:

I want Penn Dot with them, too.

The Chair:

Penn Dot and the Port Authority and the like. But, if there's direct interested parties at the county level, state level, Penn Dot, or the consultant who's been secured by Port Authority, I would hope that we would not object and allow those individuals to come to the table otherwise we're not going to get all of our questions answered.

Mr. Cusick final word and, then, roll call.

Mr. Cusick:

On recommittal Mr. President, I really feel that we should probably be moving forward on this piece of legislation. I don't think this is a piece of legislation that we'd have to repeal. The Murphy Administration, the Cultural Trust and others have done an enormous amount of work in regards to this whole piece of legislation and it really seems to me though that the Fort-Pitt Boulevard is what's really being jeopardized here and not the bridge that's being connected to --

The Chair:

If we don't vote to recommit at this point, it's going to be defeated based on what I see here.

Mr. Cusick:

I can see that Mr. President. I would hope that Council would move

forward with this piece of legislation today and not recommit and allow you the opportunity to set up a post-agenda and at that time, then, Council can decide whether or not we need to repeal the corporation agreement which we would have to do anyway if we're going to stop this project and hope that the bridge would head elsewhere.

This piece of legislation is not the piece of legislation that's going to stop this project. The corporation agreement which this Council approved somewhere a year or two years ago is the piece of legislation in question. This is just

The Chair:

Roll call vote on recommittal.

AYES:

Mr. Cohen Mr. Ricciardi Mr. O'Connor Mr. Ferlo Mr. Onorato (Pres't)

NOES:

Mr. Cusick Mr. Hertzberg

AYES: 5 NOES: 2

The Chair:

Bill 1199 is recommitted.

Any other discussion on the remaining bills?

Mr. O'Connor:

We will be converting two old tennis courts into two roller/hockey rinks for the kids in Greenfield and Hammerfield. We certainly appreciate everyone's hard work on this.

The Chair:

Thank you. Roll call vote.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

All the bills have receive the legally required number of votes and are approved finally.

That concludes our reports of Committees under Motions & Resolutions. Councilman Ricciardi.

Mr. Ricciardi:

Colleagues I'll be very brief. In the past I've always enjoyed being a part of the Public Works Budget, both the operating and capital. Let me state this year since 1990, this is the first time I've not had input on the capital budget and I will not accept, not support, and I hope this body will not support 0 numbers for infrastructure, 0 dollars for steps, 0 dollars for retaining walls, a decrease in resurfacing, 0 dollars for brick stone work, 0 dollars for concrete pavement. I hope those numbers are incorrect. I hope I'm not hearing numbers correctly from our Budget Director. However, if the

Administration plans on having 0 dollars allocated for infrastructure improvements here in the City of Pittsburgh, I will be increasing those dollar amounts and I hope this Council will be very supportive.

It can be very brief. You talk to many constituents especially the people that I represent. You talk about stadiums, you talk about the Pirates, you can talk about the regional asset district, museums and what not, but let me be very honest with you, what's important to me personally and what's important to many of the constituents that I represent, are we cutting that tree, are we fixing that pothole, is that street being resurfaced, are we fixing that retaining wall on Holt Street, are we fixing those city steps on Starting Street. So, I don't want to here and I'm not going to accept any capital budget put forward to have 0 dollars for those line items.

Very direct and I hope I receive the support of this body. I've always been very supportive of you and your district, you and your particular budget and those dollars are being increased. Thank you.

The Chair:

Thank you Mr. Ricciardi. Obviously, those line items effect all of our districts in addition to your council district.

Tuesday November 12 at 1:00 P.M. is the Mayor's budget address here in Chambers. It's part of our regular legislative session. We will welcome the Mayor in the Chamber next Tuesday, that's November 12, for the Mayor's formal budget address. We've already been in receipt of a preliminary capital

budget which I believe you're reacting to. Next week there will, I assume, be some fairly fundamental proposals and changes presented by the Mayor in the November 12th budget addressed. You're already out of the gate already with your concerns with some issues and I'm sure there's going to be a laundry list of items.

I'm very upset that we're talking about given our Paramedic service to Pittsburgh based hospital, which I'm very much opposed to and I will be organizing at the community level to oppose that. I'm sure there's probably going to be a laundry list of 20 or 30 other items that we're going to be discussing.

It's an important budget process. I think in the end it's going to be this Council that will have to refashion and reframe or remassage this budget, both on the capital side and the operating side. We have a lot of work ahead of us for the next few weeks.

Thank you. Again, the Mayor's budget address is Tuesday, November 12. We have some other public hearings scheduled, Wednesday, November 13 at 2:00 P.M. This is a public hearing on ALCOSAN, their 537 plan. This is \$700,000,000.00 in capital improvement space in federal and state law. It may mean, practically, the doubling of rates for ALCOSAN. Sewage bills and Council and other local municipalities that are part of ALCOSAN, I believe, you have to sign off on this so we thought it appropriate to have a hearing so we understand better what the plan calls for.

On Wednesday, November 20 at 2:00 P.M., there's a City Council public hearing regarding the zoning code and the

conditional use bill that's been submitted regarding how Council handles conditional use applications.

Monday, November 25 at 6:00 P.M., in Chambers, there's the issue of Bill 1215. This is on the Hormal Charter proposal on the issue of the Civilian Review Board and whether or not Council itself would like to place that question on the next spring primary ballot.

Wednesday, December 4 at 2:00 P.M. is a formal public hearing on the City budget. If residents have concerns that arise from the Mayor's budget address, whether it be of a tax item or whether it be a budgetary item capital or operating, you're welcome to address City Council Wednesday, December 4 at 2:00 P.M. regarding any taxes. revenues. expenditure proposals bv the Administration.

On Thursday, December 5, at 10:00 A.M. and at 2:00 P.M., we have two zone changes. One is to facilitate development on Grandview Avenue. It's a proposal that's come from the Planning Commission that's at 10:00 A.M. 2:00 P.M. is the zone change which I'm submitting to facilitate the construction in the Lawrence Shopping Center at the home site, that's Thursday, December 5.

If any residents would like to speak at any of these public hearings, you can please call the City Clerk at 255-2138 and register to speak on any of the matters that I've just outlined.

If there's no objection, I'm going to ask that these public hearings be televised as they are interest to a lot of people city wide.

Secondly, in closing this meeting, we will meet again, Tuesday, November 12 at 1:00 P.M. Again, that will be for the Mayor's budget address, Annual City Operating Budget.

Any other matter to be brought before the body. Councilman Cohen.

Mr. Cohen:

On zoning issue, Mr. President, can we assume or has a decision been made that the new zoning code will not come before Council until after the first of the year?

The Chair:

Yes, I think at my urging and Councilman Onorato also may have spoke. I urged the Administration not to send over the zoning code right now given the fact that we were focusing on the budget. So, it will probably be held until the spring. As well, Director Hirsh has requested kind of a rolling dialogue with Council on various aspects of the proposed zoning code.

I want to ask Councilman Onorato to help facilitate that interaction between the Administration and Council on the overall zoning code proposal. But, on a practical level, we would not deal with it until late winter, early spring. Councilman Cusick.

Mr. Cusick:

Just a brief update. I had a meeting just prior to this meeting with Director Hirsh. She informs me that the parking

pad legislation that we had sent down to

The Chair:

Planning Commission.

Mr. Cusick:

Planning Commission, I apologize. We would have it's recommendation somewhere in mid-month and ecstatically there are ecstatic concerns which I think that we would all agree with but it looks like we would be able to move ahead sometime towards the end of this month with that legislation. Which makes me real happy that the Planning Commission is coming back with some recommendations quicker than they did with the communication towers and so on when other legislation has been set down.

The Chair:

Yes, other than the adoption of the whole rewrite zoning code, there are individual bills, the zoning change and conditional use, there's the communication towers bills, the historic designation changes which is not under zoning, but in fact, the building code. They can all be done by this Council independent of the rewrite of the zoning code.

Any other comments or discussions?

Again, this legislative section stands adjourned. We will meet again, Tuesday, November 12 at 1:00 P.M. for the Mayor's Budget Address. Thank you very much.

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President LINDA M. JOHNSON-WASLER.....City Clerk JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, November 12, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

We have a number of guests in the audience this afternoon. In fact, some of them have been waiting anxiously since this morning because they got their schedule wrong. We apologize for any mishap.

We have a number of guests and at this time I would ask that Councilwoman Valerie McDonald please come forward.

Ms. McDonald:

Good afternoon. Would Sam Padosky and all other representatives for the National Hunger and Homelessness Awareness Week, would you please come forward?

I have a whole list of people up here and their names. I don't know everyone so I'm going to leave this to Sam.

This resolution is being cosponsored by the entire body of City Council. I'll read the resolution and it will explain it for itself.

MS. MCDONALD PRESENTS:

No. 1295 WHEREAS, November 17-23, 1996 is National Hunger and Homelessness Awareness Week. To highlight the week, Operation Save-a-Life is sponsoring a march and rally to bring hunger and homelessness to the attention of the public; and,

WHEREAS, Operation Save-a-Life began in late 1991 as a volunteer organization and is run by formerly homeless men and women. The volunteers distribute donated food, clothing, blankets and toiletries; and,

WHEREAS, Operation Save-a-Life volunteers take turns going out into the streets each night with the various supplies, and the understanding and compassion which only they can provide with their unique perspective; and,

WHEREAS, National Hunger and Homelessness Awareness Week promotes thought and action on an issue that many might not recognize. The march, sponsored by Operation Save-a-Life, brings together numerous organizations from the City of Pittsburgh and surrounding areas; and.

WHEREAS, it is through the efforts of organizations such as Operation Save-a-Life that the plight of the area's homeless is not forgotten.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Operation Savea-Life for its activism on behalf of the homeless and we join the entire country during National Hunger and Homelessness Awareness Week in efforts to end this serious problem.

MR. COHEN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Ms. McDonald:

It is with honor that the whole body of the City of Pittsburgh recognizes the National Hunger and Homelessness Awareness Week. All too often we have a Christmas Tree or we'll say an Evergreen or however you want to say, I don't want to get in trouble, you never know, you can get in trouble with those things, right on the City Council steps and I thought this is the first week of November and already

we're celebrating a holiday in which we normally give regardless of what the holiday is, it can be Hanukkah, it can be Christmas, it can be Quasi, but there's a sense of giving. We, oftentimes, forget that this week precedes Thanksgiving week. And, Thanksgiving happens to be my favorite holiday because it is a time that families can get together, that we bring in people that may not otherwise get a meal and we eat and we share a sense of warmth. There is a special significance to me for Thanksgiving. Though I love the tree outside, I don't want it to take away from the seriousness of homelessness and hunger that pervades our nation and pervades the City of Pittsburgh. We see people on the streets and oftentimes we want to turn our heads because they're just problems, they're just making the whole City look bad, we wish we could sweep them up. These are real people. I met a homelessness man one time that had a Ph.D. a doctorate in Philosophy. wondered how could he get himself in this situation, well it happens, it happens. I'm not going to preach, but the scriptures do say, be careful lest you fall. Don't get too arrogant and too cocky because it could happen to you. It could happen to anyone of us including our family members. So, let's be more compassionate to those that we see on the street and let's be more cognizant of hunger because there are many people, children and older people, that do go hungry and they'll never say anything until you ask them.

Again, I want to congratulate Operation Save-a-Life. I met John when I first got on City Council and I was so impressed with what he does. He really goes out there. It could be two degrees outside and he's out there and he's trying to help his own.

Sam, I want to present this to you and ask you say some words and present whoever you would like to present up here.

Mr. Padosky:

Thank you Councilwoman McDonald. We want to thank City Council and the City of Pittsburgh for this Proclamation for this week. We have been in the business of saving lives and Operation Save-a-Life came on the scene in 1991. Since '91, we have brought many people in off the streets. We've made homes for people, we have new supportive programs through the efforts of the staff that Operation Save-a-Life has and it's coordinator and on behalf of Community Human Corporation of which I board We're president. the umbrella organization for Operation Save-a-Life.

I'd like to call on John Michael or Dan Robinson who have been Operation Save-a-Life Coordinators from day one. If you remember the cold whether we had about two years, these men and their people we out bringing people in from under the bridges, from wherever the roads were, from the sidewalks, giving them blankets, bringing them into Wood Street Commons at that time, we brought them in there. This past year, we were not allowed to bring them into Wood Street Commons, so we used the facilities of the Salvation Army to bring people in off the streets in the bad whether. During the flooding period that we had this past January, these men were out there every night with their people. I want them to commend their people for what they've done. I'm going to call on John, Dan and James Moe to introduce these people.

Mr. Robinson:

Thank you City Council. My name is Dan Robinson and I'm the Director of Operation Save-a-Life. The purpose for this really was to just try to heighten the awareness of hunger and homeless issues during the upcoming week and to make people aware that whether we have the home here or in Allegheny County or the City of Pittsburgh or not, we're still each other's neighbors. We try to reach out to each other as neighbors and let people know that they are important to this community despite their economics status. We appreciate City Council and the County Commissioner's support in this and the upcoming march this Saturday. Anyone interested in joining the march is There's no politics, no welcome to. protest, but to try to bring together people in this community to put aside the politics and everything else and just show concern for each other as neighbors and to try to help each other as best we can. appreciate this resolution today. Thank you.

Mr. Johnson:

My name is James Moe Johnson and I'm happy to be here. I want to receive this for my friends, the volunteers, the providers and any person who is helping someone who's homeless at one time. I want to thank you, everyone involved. I have a list of people here who are here present, Sam Padosky, Frank Gram, Gerald Johnson, Anthony Watson, Mike Berry, Brice Perzensky, Teeky Smith, Ethel Barease, John Mickel, Fred Price, Chris Lemley, Michelle Pilapando, Margaret Thorton, Sister Bernadette, Annie Lee, Jamie Frem, Chris Marker,

Anthony Bismen, Sister Cindy, Kevin Robinson, myself, Dan, Sharon Thorp, Myan Matthews, and Cynthia Karate. Thank you.

Mr. Michael:

I just want to say, I've been to a lot of places throughout this country, throughout this state and the City of Pittsburgh has, let the Mayor just said about the diverse population we have, we also have the most given population in any city I've ever been in. The people here come together in a time of need as a community and that's what we want to have on Saturday, a community going out and showing support for each other. Thank you again City Council.

The time of the rally on Saturday, the march will begin at 9:30 a.m. at Freedom Corner, that's the corner of Center and Crawford up by the Civic Arena. We'll go to Market Square, we'll have a little rally there from 11:00 a.m. -12:00 p.m. From 12:00 p.m. - 1:00 p.m., we got some space at the YWCA on Wood Street to use. For the most times, these rallies when they breakup, everybody just breaks up and goes home. We want to have a little get together afterward so everybody can get to know each other and answer some questions if anybody has any question or they want to go volunteer or help out or where they can help out. Again, thank you very much.

The Chair:

Thank you very much. Thank you for coming down here this afternoon. A special thank you for helping people, not only around Thanksgiving but year in, year out.

Some of our honorees this afternoon include our own men and women of the police force, City of Pittsburgh. At this time, I like to call on our colleague, Councilman Cohen, Chairman of Public Safety to read the following proclamation.

Mr. Cohen:

If we can have Commander Patterson and the members of the Pittsburgh Police Bureau come up here, please?

The Chair:

Police Chief Moffat, you can come forward and say a few words, too.

Mr. Cohen:

Members of Council and members of the audience we have a wonderful honor this morning. As you know, for the first time in many years, the Mayor and the Chief of Police have provided honors and awards to the members of the Police Bureau who have gone above and beyond the call of duty. We have police officers here, three and their bosses, this morning. It's very, very important to show publicly how the police officers have, perhaps, the hardest job in the City of Pittsburgh and they all do an excellent job. There are some who have gone even beyond the call of duty and have shown particular instances of bravery and heroism and we have here today several officers who are in that position. So, let me read this proclamation.

MR. COHEN PRESENTS:

No. 1296 WHEREAS, the City of Pittsburgh Police Department is among the finest Departments in the United States of America; and,

WHEREAS, from time to time there are those City of Pittsburgh police officers who, through the normal course of their jobs, are thrust into situations where they are asked to go far and beyond the call of duty; and,

WHEREAS, despite negative publicity and the thankless nature of the job, there are those officers that rise to the occasion and meet the challenges that sometimes requires them to risk life and limb in order to protect the life and property of the citizens of the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh Hereby Recognizes, Honors and Commends the following Pittsburgh Police Officers: Peter Kust, Greg Powala, Sgt. Frederick Wolfe, Charles King, Sgt. James Retsch, Rosalyn Blank, Michael Strachan, George Harris, Raymond Novak, Regis Ricketts, Mr. Eric Spellman, Mr. Craig Tilbrook, Miss R. Simons, Mr. & Mrs. Joel Rosen, Mr. & Mrs. Gary Becktal, Sgt. Lavonnie Bickerstaff, Mr. Sterling Shaw, P.O. Kenneth Sowinski, Hucic. Garv Bradley Thomas Duquesne University police; for their efforts, actions and good deeds to protect the citizens of the City of Pittsburgh and make Pittsburgh an even safer and better place to live.

We have several on this list who have all been honored by the Mayor. But, we have here this morning Officer Hucic, Sgt. Bickerstaff, and Officer Sowinski

who have all received either letters of commendation or medals of valor.

I'd like to ask that this resolution be passed.

MS. MCDONALD moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Mr. Cohen:

Thank you. Officers thank you so much for all that you have done. As I said, for showing bravery in the line of duty. Before we bring you up here, let's bring your boss up here and that is Deputy Chief Charlie Moffat.

Mr. Moffat:

I'd just like to thank the members of Council on behalf of Chief McNeilly, myself and all the other members of the Bureau of Police. Too often, in the past, we have taken for granted some of the deeds that our officers perform on a daily basis, myself included. I have sometime in the past neglected to complement them or commend them on a job well done. Hopefully, we have turned the corner on that and we will see many more ceremonies such as this. Again, thank you Councilmen, President Ferlo and all members of Council for this honor. Thank you again.

The Chair:

Thank you.

Mr. Cohen:

Thank you very much Deputy Chief Moffat. We also have with us Commander Kelly. Commander thank you very much for being here this morning. If the three officers could come up here, please. Congratulations. Officer Sowinski said he'd pass, he's the junior guy. So, we'd like to have Sgt. Bickerstaff, please. Congratulations, sir.

Ms. Bickerstaff:

Just a brief statement. I'd like to take the opportunity to thank Council and the City of Pittsburgh for recognizing us and, of course, the Bureau of Police. Thank you very much.

The Chair:

Thank you. Councilman Cohen, I believe you have another resolution.

Mr. Cohen:

To be read.

The Chair:

Thank you.

MR. COHEN PRESENTS:

No. 1297 WHEREAS, Joy Flowers Conti graduated summa cum laude, number one in her class from Duquesne University School of Law, and was Editor in Chief of the Law Review; and,

WHEREAS, Joy Flowers Conti served as a professor of law at Duquesne University School of Law from August 1976 to June 1982; and, WHEREAS, Joy Flowers Conti is a shareholder in the law firm of Buchanan Ingersoll and a past president of the Allegheny County Bar Association; and,

WHEREAS, Joy Flowers Conti has received the Pittsburgh/Vectors Women in Law and Government Award as well as the Pennsylvania Bar Association's Anne X, Alpern Award; and.

WHEREAS, in her spare time, Joy Flowers Conti has volunteered her time to serve various community and civic organizations such as Family and Youth Services of Western Pennsylvania. Catholic Charities of the Diocese of Duquesne Pittsburgh. Law Alumni Association the Pine-Richland and Football Mothers: and.

WHEREAS, Joy Flowers Conti is the devoted wife of Anthony and mother of Andrew, Michael and Gregory; and,

WHEREAS, in recognition of her distinguished career and support for the State of Isreal, Joy Flowers Conti will be honored by the State of Isreal Bonds at a tribute dinner on November 13, 1996, with noted Israeli investigative journalist Yaron Savory as keynote speaker.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends and thanks Joy Flowers Conti for her dedicated years of service to the legal profession in our community.

MR. UDIN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I believe we have a number of guests from our senior centers, we'd like to bring them forward. Councilman Onorato will present these on behalf of all of our colleagues.

Mr. Onorato:

Yes, on behalf of all of us at -- let me say on behalf of Councilman Cusick, who apologizes for not being here today, but called and asked me if I could read these.

There's four separate ones and we'll move them along. The first one we're going to take, if there's anyone here associated with Step-by-Step please come forward.

At the same time while they're coming forward, we have Director of Parks and Recreation, Faith Gallo, she can come forward.

Mike Bradley the Director of Special Events and Mary Ester Venturia. All three come forward, please.

They'll be up here for all of the proclamations today because they're all related to parks and recreations.

I'll read a proclamation and then I'm going to turn it over to Director Gallo.

MR. ONORATO PRESENTS:

No. 1298 WHEREAS, Stepby-Step is an innovative community based organization that has been serving Allegheny County residents with mental retardation since 1982; and,

WHEREAS, Step-by-Step and its residents were involved with Partners in Parks by planting and maintain four flower gardens at Moore, Brookline, Beechview and Phillips City pools; and,

WHEREAS, Step-by-Step assisted the City in the Great Race by folding 10,800 Great Race T-shirts for the participants in the race; and,

WHEREAS, Step-by-Step and its residents should be proud of the great strides they have made.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City Pittsburgh hereby honors and commends Step-by-Step and its residents for their assistance in the Great Race and for making Pittsburgh an even better place to live for all of our citizens.

MS. MCDONALD moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevails.

Mr. Onorato:

Obviously, I just want to thank everyone for participating. This is a good example of how we're all in this together in the City and we definitely appreciate the services you provide for us especially as you here us talk about tight budgets.

At this time, I'm going to turn it over to Director of Parks and Recreation,

Faith Gallo, to say a few words about the program.

Ms. Gallo:

Thank you Dan and thank you Council for the proclamation. It is well deserved. As you know, we couldn't get along without our volunteers in Partners in and in special events and community festivals. Volunteering is an American way. Over half of Americans volunteer for one thing or another and we're very lucky that Pittsburgh is in that same category. In fact, Pittsburghers have a very big heart. I'm sure all of you who know this community are well aware of the wonderful things that Pittsburghers do another, neighbor helping for one neighbor. This is the best example of it that I can think of. Thank you Council for this award to them and thank all of you very much.

The Chair:

Would some of our guests like to say a few words.

Ms. Pitinger:

Thank you Mr. President, Council Members, Director Gallo, staff of City Parks, citizens, thank you very much. Our experience being a Partner in the Parks this summer was truly an opportunity to participate in a community that we love very, very much. We are the sons and the daughters, the brothers and the sisters, the aunts and the uncles of the people that made this region great. We are also, unfortunately, representatives of a group of people that are very vulnerable to public policy and the people who people do not

want living next door, not in my back yard.

This opportunity to give back to you to say thank you. To say we are very, very, much a part of our City. We support our City. We applaud Council for making Pittsburgh an example of what an inclusive community can truly be. Thank you and we look forward to working with you in the future.

The Chair:

Thank you. Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. Before we get a photo, I do want to give my remarks about Step-by-Step. I've been very fortunate over the years to be associated with Step-by-Step and I can tell you that it is absolutely a fantastic organization. I thank you all for coming down here. The two founders of this organization, Beth Pitinger and Mary Ester Vanturia, I don't know any two people who have bigger hearts than they do. have iust been incredible contributors to the City of Pittsburgh on the outside and, now, on the inside because we're very fortunate to have Mary Ester Vanturia as our Assistant Director of Parks and she's doing a fantastic job with the senior centers and Beth Pitinger who is on our Human Relations Commission. Thank you all very much for coming down this morning.

Mr. Oporato:

I forgot to call Murna Turner Hall. You want to come up here, too? Partners

and Parks are all these events, please come forward. Thank you everyone.

As they're exiting the stage, we're going to call up the next awardees. Everyone associated with Senior Center from Observatory Hill, Sheraden, Northview Heights and Greenfield, please come forward at this point.

As they're walking forward, I'm going to read the names of the people that are here. If I miss anyone, please tell me when you get up here. If I butcher any names, let me know, too.

From Observatory Hill, Rose Thomas, Irma Elision, Anne Likarevich, Lillian Hammak and Nora Jackson. From Sheraden, Kathy Blake, Blant Machilsky, Ava Machilsky, Betty Ryan, Joe Lucas, Phyllis Lucas. From Northview Heights, Cheryl Brown — the first names I mention are the directors or the center directors — Cheryl Brown from Northview Heights, Betty Thorne, Anne McDonald, Dave Komm. From Greenfield, the Director, Eleanor Robbins, Helen McNellis, Dan Tamollius, Kay Tamollius and Sol Neuman.

Is there anyone I didn't mention? If not, I apologize, these are the names that were handed to me here. I'm glad you all can make it down here. Once again, I'm going to read the proclamation. We'll hear from the Director and anyone that wants to comment on this particular proclamation.

MR. ONORATO PRESENTS:

No. 1299 WHEREAS, in the City of Pittsburgh Senior Citizens are one of our most valuable assets; and,

WHEREAS, with shrinking financial and human resources, volunteers are playing a very important role with city government; and,

WHEREAS, the Senior Interest Division of Citiparks recognizes the volunteering contributes to not only the recipient of the volunteer's services but also to the volunteer's own health and well being; and,

WHEREAS, Northview Heights Seniors Annie McDonald, David Komm, Elizabeth Grech and Betty Thorne, under the purview of Center Director Cheryl Brown, volunteered and assisted Partners in Parks with a large mailing to recruit volunteers to participate in the Richard S. Caliguiri Great Race; and,

WHEREAS, Greenfield Seniors Jean Kelly and Helen McNellis, under the purview of Center Director Eleanor Robbins, assisted in stuffing the packets for the Jr. Great Race and also were responsible for making all of the runner's bibs for the Great Race; and,

WHEREAS, Observatory Hill Seniors Irma Ellison, Rose Thomas, Anne Likarevich, Lilliam Hammak, under the purview of Center Director Nora Jackson. have helped with numerous volunteer activities this year such as feeding volunteers from the United Way's Day of and Caring assisted with packet distribution at A.J. Palumbo Center for runners of the Great Race; and,

WHEREAS, Sheraden Seniors Ray Skillen, Peg Skillen, Sam Valecenti and Joe Lucas, under the purview of Center Director Kathy Blake, assisted with the Jr. Great Race this year.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends and honors all of our Senior Volunteers for their commitment and dedication to the residents of the City of Pittsburgh and the Citiparks Department.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Once again, as with the previous proclamation, I want to personally thank everyone on behalf of all of Council for your time and effort you give back to us. As the proclamation says, we probably couldn't afford to pay for the services you provide us and we recognize that the Senior Centers which are in all of our districts are valuable not just to you, but to all of us and that's why we make sure that they don't hit the budget ax when we go up to do the budget. Congratulations and thank you. Directors, do you want to comment? I'll give you this and you can pass it along.

Ms. Gallo:

Thank you again. Again, thank you Council for presenting this proclamation to a well deserved group. I'd

like to call on Mary Ester Vanturia to say a few words.

Ms. Vanturia:

On behalf of the senior interest program, we are appreciative the recognition given to us because indeed the seniors of the city are the epitome of the vitality of our city. We have up the heart and they give up the soul and that is the best of our city. Thank you.

Mr. Onorato:

Is there anyone representing the seniors that would like to say a few words?

Mr. Lucas:

My name is Joseph Lucas. As some of you people here on Council know, I've been working with the Senior Program trying to further it along. We are seniors and there's seniors coming up after us and we're trying to provide a program that they will be able to pick up and fall into step and enjoy it as much as we enjoy it now. Thank you.

Mr. Onorato:

Thank you. Thank you everyone. As we switch the individuals on stage up here again, we're going to now move to the individuals here representing Renewal, Incorporated. If they want to come up here. As they're walking forward --

The Chair:

Let's get Mr. Everett up here also, David Everett who will also be receiving a proclamation.

Mr. Onorato:

David Everett, the forth proclamation after this one, if he wants to come up at the same time, that's fine.

With us today is Natalie Gilar, the Director of Program Management, Claudia Asberry the Assistant Director of Program Management, Charles Sullivan, Employment and Community Service Coordinator. The Program Associates are Erin Minor, Reginald Dukes, Terry Hubbard, Randy Mastrumatiko. I'm going to read the proclamation.

MR. ONORATO PRESENTS:

No. 1300 WHEREAS, Renewal Incorporated was established in 1974 and developed from the St. Joseph's House of Hospitality; and,

WHEREAS, During the late 1970's a court decision required that alternative programs be developed for prisoners in Allegheny County or else the prisoners would have to be released; and,

WHEREAS, Renewal Incorporated met the challenge and formed an alternative program that provides its residents with services including assessments of ability level, vocational aptitude, personality inventory and development of life skills for each individual resident; and,

WHEREAS, the Renewal program requires each resident to complete at least four hours of community service and this year the Citiparks division was a recipient of many of those hours; and,

WHEREAS, Renewal Incorporated assisted in the Jr. Great Race with the set up of the Point and also being mascot escorts, face painters and booth attendees for the event; and,

WHEREAS, for the Great Race Renewal residents assisted in collecting all materials for racer packets, distribution for the Great Race Expo, set up and tear down of the Great Race Expo, rehabilitation of the flooded Park the night before the race and tear down of the park after the race; and.

WHEREAS, Renewal Residents have also assisted Partners in Parks with numerous projects in our parks as well as the rearrangement of Partners in Parks offices.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends and honors Renewal Incorporated and its residents for their services rendered to the citizens of the City of Pittsburgh.

MR. O'CONNOR moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

MR. O'CONNOR PRESENTS:

No. 1301 WHEREAS, dedicated volunteers are essential to the success of the Partner in Parks Program

and from time to time there are those who display extraordinary efforts in contributing to that success; and,

WHEREAS, David Everett has been a volunteer who has given a vast amount of his time, energy and unique skills to assist Partners in Parks; and,

WHEREAS, David Everett is responsible for the creation of the Partners in Parks database, assisted in volunteer management for the Great Race, and created a database which enables the staff to know who is volunteering, what their duties are and enables confirmation of assignments as well as thank you letters to be sent to each volunteer.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby recognizes and commends David Everett for his many hours of selfless dedication to the residents of the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

MR. O'CONNOR PRESENTS:

No. 1302 WHEREAS, the Kollel Jewish Learning Center is the foundation of Torah learning in the City of Pittsburgh, well known for its high quality of scholarship and creative education and outreach programs; and,

WHEREAS, the Kollel is celebrating it's 18th anniversary of magnificent effort and service to the

community this year. In Hebrew, the number eighteen reads as chai, meaning life. Chai, the number 18, is made up of ten and eight. Ten is the number of a minyan and eight is the number for miracles. Put together, they make the mission of the Kollel Jewish Learning Center, the opportunity for Torah learning regardless of background, makes it possible; and

WHEREAS, in the year of the chai, Kollel is honoring Norman and Marilyn Sindler for endearing themselves t the entire community by their exemplary character, support of the Kollel and their involvement in synagogues. They serve as role models for all, through their continued interest, generosity and involvement in Jewish education.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Kollel Jewish Learning Center on its 18th anniversary and outstanding accomplishments in the community; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby congratulate Norman and Marilyn Sindler on this occasion and wishes them the very best as they continue their work in the Greater Pittsburgh Jewish Community and declares Sunday, November 3, 1996, "Norman and Marilyn Sindler Day" in the City of Pittsburgh.

Mr. O'Connor:

Mr. Sindler:

Thank you very much. On behalf of my wife, who, unfortunately, wasn't able to make it today, we are very honored. Thank you so much for this accommodation. It's nice to be with you.

The Chair:

Councilman O'Connor, I believe you have some other guests here.

Mr. O'Connor:

On behalf of B'nai B'rith to receive this resolution and a good friend and neighbor and very active.

MR. O'CONNOR PRESENTS:

No. 1303 WHEREAS, B'nai B'rith is the oldest social service organization in the United States, being 153 years old; and,

WHEREAS, B'nai B'rith is the largest Jewish international fraternal organization, known for its tradition of helping thousands of Jews and non-Jews, young people and senior citizens through a myriad of humanitarian and educational services; and,

WHEREAS, B'nai B'rith helps instill ethical and moral values in high school and college students through its B'nai B'rith Hillel on 450 college campuses, its B'nai B'rith Youth Organization's programs and its innovative Parent/Teen dialogues; and,

WHEREAS, Saturday, November 16, 1996, B'nai B'rith will host a special intergenerational symposium to explore "Keeping Jewish in the '90's", exploring

the stresses on young people to maintain their Jewish identify; and,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the work on B'nai B'rith.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, November 16, 1996, "B'nai B'rith Intergenerational Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. B'nai:

Mr. Council President, Councilman O'Connor, Councilpersons, on behalf of the President of Pittsburgh Council, B'nai B'rith, I thank you for the opportunity to address vou today and acknowledgment. We're very excited about this program which will bring children the University of Pittsburgh, Carnegie Mellon and Duquesne University along with our teenagers and adolescents from our high school programs throughout the area to explore uniqueness of their situation. Oftentimes when assimilation is stressed, this is a good time for these people to feel proud about themselves and we are happy for B'nai B'rith to bring this program to the City of Pittsburgh. Thank you.

The Chair:

Councilman O'Connor, do you have some others?

MR. O'CONNOR PRESENTS:

No. 1304 WHEREAS, the health of all citizens is a major concern and responsibility of health care professionals serving the citizens of this city; and,

WHEREAS, qualified practitioners, who specialize in the use of medical radiation and imaging techniques to aid in the diagnosis and treatment of disease, share a commitment to bring the people of this city a safer environment now and in the future; and,

WHEREAS, professionals in radiography are dedicated to the highest standards of professionalism and continually maintain those standards through education, life-long learning and personal commitment.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the need to focus on the safe medical radiation environment provided through the skilled and conscientious efforts of Radiographers, Radiation Therapy Technologists in celebrating Wilhelm Conrad Roentgen's discovery of x-rays on November 8, 1895, and declares November 3-9, 1996, as "National Radiological Technology Week" in the City of Pittsburgh.

THE CHAIR abstained.

MR. O'CONNOR PRESENTS:

No. 1305 WHEREAS, Shigeyuki Inubushi, the Director of Worldwide

Professional Seminars for GSIA and CMU, has built technological and business linkages and established partnerships between the City of Pittsburgh and Japan for the past 24 years; and,

WHEREAS, Shigeyuki Inubushi, in association with representatives of Carnegie Mellon University is responsible for the education and training of over 500 senior Japanese executives from seventyeight corporations and organizations through studving Carnegie Mellon University's Office of Executive Education and Post College Professional Educational Programs: and.

WHEREAS, Shigeyuki Inubushi's efforts have raised Japan's awareness of the City of Pittsburgh's vast resources while also contributing approximately two million dollars in support of such programming and study visits to the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Shigeyuki Inubushi on his many efforts to and further education in the City of Pittsburgh and the country of Japan.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Wednesday, November 13, 1996, "Shigeyuki Inubushi Day" in the City of Pittsburgh.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. O'CONNOR PRESENTS:

No. 1306 WHEREAS, the Jewish National Fund is a trustee of, and link between, the land of Isreal and the Jewish People; and,

WHEREAS, the Jewish National Fund fosters the bond between the people and its land by reclaiming the land the planting forests, creating housing, tourism, recreation and agriculture; while at the same time providing employment and promoting Zionist education, enhancing the environment and the quality of life for every Israeli; and,

WHEREAS, the Board of Directors of the Pittsburgh and Tri-State Region's Jewish National Fund are hosting a cocktail reception for Dr. Iris Nahemow, former regional director; and,

WHEREAS, Dr. Iris Nahemow earned her Undergraduate and Doctoral degrees at the University of Pittsburgh and Master's Degree from the University of Pennsylvania; and,

WHEREAS, Dr. Iris Nahemow has maintained throughout the vears substantial positions within community, including Regional Director for the Jewish National Fund in Western Pennsylvania and West Virginia, Executive Director of Big Brothers and Sisters of Greater Pittsburgh and Community Services and Development Director of Allegheny East MH/MR Center; and,

WHEREAS, Dr. Iris Nahemow currently teaches "Fund Raising for Non-Profit Organizations at the University of Pittsburgh's Graduate School of Public and International Affairs and conducts seminars in fundraising, grant writing and strategic planning for West Virginia University, as well as for numerous professional and community organizations.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate Dr. Iris Nahemow for her hard work and dedication.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby wish Dr. Iris Nahemow the very best in all of her future endeavors and declares Thursday, November 14, 1996, "Dr. Iris Nahemow Day" in the City of Pittsburgh.

The Chair:

Councilman Onorato do you have other guests in the audience?

Mr. Onorato:

No.

The Chair:

Councilman Udin, I believe have one to be read into the record.

MR. UDIN PRESENTS:

No. 1307 WHEREAS, Calvary Baptist Church is celebrating their 100th year of ministry and service in the Hill District; and,

WHEREAS, The Theme of the 100th Anniversary is "Walking with God for One Hundred Years", and,

WHEREAS, the Reverend Sammie Bassord is the presiding Pastor of Calvary Baptist Church, and his ministry has revitalized the church with a clear vision of serving and meeting the needs of the community; and,

WHEREAS, Calvary Baptist Church was organized in 1896, and became officially chartered on February 3, 1902, under the leadership of Reverend Gray; and,

WHEREAS, this church symbolizes a strong heritage of generations of parishioners, and presently has over four hundred members; and,

WHEREAS, the guest speaker for the Banquet is the Reverend James E. Simms of St. Paul's Baptist Church, and the Chairpersons are Deacon Warren Scott and Trustee Roosevelt Washington, Jr.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the work of the Calvary Baptist Church and extends congratulations on their 100th Church Anniversary.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

That concludes our Read and Adopted, I believe. The Chairman has one under Small Games of Chance Resolution.

MR. FERLO PRESENTS:

No. 1308 WHEREAS, The Historical Society of Western Pennsylvania, located at 1212 Smallman Street in the City of Pittsburgh, is a not-for-profit cultural institution, dedicated to collecting, preserving and interpreting the history of Western Pennsylvania through publications, exhibits and programs; and,

WHEREAS, The Historical Society of Western Pennsylvania has been incorporated in the Commonwealth of Pennsylvania since 1888, is registered with the Pennsylvania Bureau of Charitable Organizations, and has been granted exemption from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code; and,

WHEREAS, The Historical Society of Western Pennsylvania desires to operate certain small games of chance and/or conduct raffles to generate funds to finance its operations and further its goals.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh hereby recognize and declare The Historical Society of Western Pennsylvania to be a civic organization within the context of the Pennsylvania Small Games of Chance Legislation.

MS. MCDONALD moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Thank you. We do need Mr. O'Connor. If someone could ask Mr. O'Connor to come back in the meeting.

We need a aye vote on a Resolution Small Games of Chance for the Western Pennsylvania Historical Society. It's a procedural requirement on the Council's part.

That concludes our Read and Adopted. Are there any matters to be brought before Unfinished Business or Reports of Special Committees?

I think all of us has received a copy of the Budget Agenda from Councilman Udin.

Now, a little bit about for the next few weeks. Unfortunately or fortunately, we have a lot of public hearings also scheduled which we'd like to try to get in before the end of the year. A few of them I put off until January which are kind of non-controversial and there's no time limit or requirement. We have a lot of meetings between now and the end of the year between the budget and all of our various required public hearings and the rezoning and other matters.

Moving to Reports of Committees beginning with the Committee on Finance and the Budget.

Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin. Then we'll go back to presentation of papers.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS:

Bill No. 1328

Reports of Committee for Finance and the Budget for November 6, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation.

No. 1218 Resolution providing for the transfer from Department of Finance Code Account 1060, Salaries Regular Employees, Index Code 106005, to Department of Finance Code Account 1061, Salaries Temporary Employees, Index Code 106104, \$35,000 (Thirty-Five Thousand Dollars).

The Chair:

That has a negative recommendation. I'm trying to get votes done when we have five people in the room right now and, then, we'll go back to Presentation of Papers

Mr. Udin:

Do we have a motion for an amendment on this bill?

The Chair:

Yes. Mr. Udin is recognized.

Mr. Udin:

There's been an amendment to Bill 1218 that's been circulated and all members of Council should have it. It's a motion to amend Bill 1218 by decreasing the transfer amount from \$35,000 to \$15,000 submitted by the Administration.

The Chair:

Any discussion? Councilman Onorato.

Mr. Onorato:

I was wondering if Councilman Udin -- I take your response to the amendment -- the reasoning for it. Was this requested by the Administration or was this generated from your office?

Mr. Udin:

It was requested from the Administration that accompanied a memo that indicated that after closer examination and inquiry they, in fact, would not need as much to transfer as they originally requested.

Mr. Onorato:

I apologize, I do have the memo here in front of me. Thank you.

The Chair:

Thank you very much. I want to thank Director Heineken for communicating to Council also on this matter prior to the vote.

All in favor of the amendment? Opposed? The bill is amended.

Under the remaining bills and, then, we'll do them altogether.

Also, with an affirmation recommendation.

No. 1247 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984

Also.

No. 1282 Resolution providing for the transfer from Non-Departmental code Account 41 Refunds - Real 'Estate Taxes, Index Code 004101, to Non-Departmental Code Account 44-1, Unemployment Compensation Fund, Index Code 004416 in the amount of \$25,000 (Twenty-Five Thousand Dollars).

The Chair:

Is there any discussion on the bills? Councilman Onorato.

Mr. Onorato:

On Bill 1247, I'm going to request, if there's no objection here, a motion to waive Council rules, because I don't have it in writing, to have Item G deleted until I can find out what's going on with that property.

The Chair:

If there's no objection to the suspension of the rules? All in favor of the motion to the lead in that Item? Opposed? The bill is being presented with Item G deleted for a final vote purposes.

Any other discussion?

Hearing none, the bill is now reading for final action. All in favor of the passage of the bills, vote aye when your names are called. If you're opposed vote no.

Will the Clerk please call the role and remember we have one bill we just amended at this session.

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 7 NOES: none

The bills having received the legally required number of votes have been approved finally.

Committee on Public Works, Water and Environmental Service, Councilman Udin for Mr. Ricciardi.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTS FOR MR. RICCIARDI:

No. 1329

Reports of Committee on Public Works, Water & Environment Services for November 6, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1206 Resolution granting unto the Coffee Beaneary, Ltd., 5541 Walnut Street, Pittsburgh, Pennsylvania 15232, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a sidewalk cafe on a portion of the right-of-way of the sidewalk area on Walnut Street and Ivy Street in the 7th Ward, 8th Council District of the City of Pittsburgh.

The Chair:

You heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action. All if the favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

The Committee on Housing Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman McDonald.

MS. MCDONALD PRESENTS:

No. 1330

Report of Committee on Housing Economic Development & Promotion on November 6, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1242 Resolution authorizing the filing of a proposal for funds with the Department of Community and Economic Development, Commonwealth of Pennsylvania and further authorizing the creation of a trust fund for the depositing of funds not to exceed \$300,000.00 (Three-Hundred Thousand Dollars).

Also,

No. 1265 Resolution approving Execution of a Contract for Disposition of Land by and Between the Urban Redevelopment Authority of Pittsburgh and Riverview Terrace Housing Partnership, L.P. for the sale of Part of Parcel C and Parcel 130B - Western Restoration Project in the Fifth Ward of the City of Pittsburgh, 2851 Bedford Avenue.

The Chair:

You heard the reading and title of the bills, is there any discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the role?

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTS:

No. 1331

Report of Committee on Lands, Buildings and Procurement for November 6, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1241 Resolution providing for an Agreement or Agreements of sale, for the purchase of property located in the Twenty-Ninth Ward of the City of Pittsburgh at 2199 Dartmore Street and providing for the costs thereof at a cost not to exceed \$5,000.00 (Five-Thousand Dollars).

The Chair:

You've heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato Mr. Hertzberg Mr. Udin Ms. McDonald Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Mr. O'Connor.

MR. O'CONNOR PRESENTS:

No. 1332

Report of Committee on Engineering and Construction for November 6, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1199 Resolution further amending Resolution No. 1327 effective December 23, 1982, as amended by Resolution No. 820, effective September 30, 1983, as amended by Resolution No. 612, effective August 3, 1989, as amended by Resolution No. 637, effective July 5, 1990, as amended by Resolution No. 567, effective May 13, 1992, as amended by

Resolution No. 329, effective April 26, 1993, as amended by Resolution No. 1424, effective December 31, 1993, as amended by Resolution No. 383, effective June 5, 1995. entitled "Providing Agreement Agreements, or or Supplemental Agreement or Agreements with a Consultant or Consultants, for Engineering Services in connection with the Rehabilitation of a portion of Fort Pitt Boulevard, Eastbound and Rehabilitation of the Market Street Overpass; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation: providing for a payment of the cost thereof', by increasing the total project allocation by \$575,000.00 (Five Hundred and Seventy-Five Thousand Dollars).

The Chair:

You've heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bill having received the legally required number of votes has been approved finally.

I voted aye only because Councilman Udin's scheduling a postagenda regarding the bridge.

That concludes our Reports of Committees, moving to Presentation of Papers, Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

PRESENTATIONS

MR. COHEN PRESENTED:

No. 1309 Resolution providing for the issuance of a warrant in favor of Radio Shack in the amount of \$3,784.00 (Three Thousand Seven Hundred Eighty Four Dollars) in payment for the purchase of two smoke detectors for the Bureau of Fire, Department of Public Safety, chargeable to and payable from Code Account PSTA, Index Code 253450.

Also,

No. 1310 Resolution authorizing the transfer of \$675.00 (Six Hundred Seventy Five Dollars) from Code Account 1421, Index Code 142109, Miscellaneous Services to Code Account 1421-1 Index Code 142117, Education and Training, Bureau of Emergency Medical Services, Department of Public Safety.

Which were read and referred to the Committee on Finance and Budget.

The Chair:

Councilman Cohen for Mr. Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Mr. Cohen.

MR. COHEN PRESENTS FOR MR. CUSICK:

No. 1311 Resolution amending Resolution No. 678, effective September 30, 1996, entitled, "Providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation for a Supplemental Agreement or Agreements by increasing the total cost of the program by \$85,000.00 (Eighty Five Thousand Dollars).

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG PRESENTS:

No. 1312 Resolution transferring the sum of \$20,000 (Twenty Thousand Dollars) from Code Account 1141, Index Code 114108, Salaries, to Code Account 1126-2, Index Code 112615, Premium Pay, all within the Department of General Services.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

No new papers, Mr. President.

The Chair:

Thank you Councilwoman. Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Mr. O'Connor.

MR. O'CONNOR PRESENTS:

No. 1313 Resolution providing for a Contract or Contracts or use of existing Contracts, for Monument Restoration and Parklet Improvements at Polish Hill, and providing for the purchase of equipment and materials for said project; and providing for the payment of the cost thereof, not to exceed \$15,000.00 (Fifteen Thousand Dollars).

MR. O'CONNOR moved to suspend Rule 8 by providing for consideration of the bill so it can be held here tomorrow.

MR. UDIN seconded the motion.

Which motion prevailed.

Also,

No. 1314 Resolution authorizing and directing the Mayor of the City of Pittsburgh to petition the Pennsylvania State Legislature to take the appropriate legislative action which would allow the City of Pittsburgh to be designated as a Host Community by virtue of the fact that significant operations related to the Allegheny County Sanitary Authority (ALCOSAN) are conducted within the city limits and further providing that the City be entitled to collect a Host Fee of One Dollar (\$1.00) per month per household from ratepayers which resident outside of the City of Pittsburgh.

Also,

No. 1315 Resolution authorizing and directing the City Controller to conduct an audit of all existing agreements between the City of Pittsburgh and other municipalities which relate to suburban

conveyance interceptors and to provide a report to Council within 45 days of enactment of this resolution.

Which were read and referred to the Committee on Finance and Budget.

Also,

No. 1316 Resolution amending Resolution No. 1271, effective February 23, 1993, as amended by Resolution No. 337 of 1993, effective April 26, 1993, entitled, "Providing for a Contract or Contracts or use of Existing Contract or Contracts, for the purchase and installation of street trees in various community development areas", by decreasing the total project allocation by \$402.00 (Four Hundred Two Dollars).

Also,

No. 1317 Resolution amending Resolution No. 1271, effective December 31, 1991, entitled, "Providing for a Contract or Contracts or use of existing Contracts, for the purchase and installation of street trees in Various Community Development Areas", by decreasing the total project allocation by \$363.00 (Three Hundred Sixty-Three Dollars).

No. 1318 Resolution amending Resolution No. 490, effective July 8, 1994, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at various locations", by decreasing the total project allocation by \$260.00 (Two Hundred Sixty Dollars).

Which were read and referred to the Committee on Engineering and Construction.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTS:

No. 1319 Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from S, S-A, C-1, R-2, R4, R4-H, R5, RP and AP Districts to G-PR "Grandview-Public Realm District" certain property along and in the vicinity of Grandview Avenue extending from the Republic Street to East Sycamore Street, 19th Ward.

Also.

No. 1320 Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by creating a new district entitled, Chapter 972, G-PR "Grandview Public Realm District" including four (4) subdistricts with use, height and area regulations and a new Special Exception 909.06(b)(38) to allow 4 to 9 stories in subdistricts B, C and D.

Which were read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

I would ask that we waive relate on these bills since, at the request of Councilman Hertzberg.

Which motion prevailed.

We do have scheduled public hearings on this issue.

Councilman Udin for Mr. Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Udin:

No new papers, Mr. President.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

MR. UDIN PRESENTS:

Resolution providing No. 1321 for the issuance of a warrant in favor of Women's Center and Shelter in the amount of \$2,500.00 (Two Thousand Five Hundred Dollars) in payment for the Pittsburgh Magistrate's Count participation in Domestic Violence Awareness Month, chargeable to and payable from Code Account 1023, Miscellaneous Services, magistrate Court.

Also,

Resolution providing for issuance of a warrant in the sum of \$15,000.00 (Fifteen Thousand Dollars) to Paul Colabove, c/o Alexander J. Jamiolkowksi, Esquire. Egan &. Jamiolkowski. Suite 650. Lawyers Building, 428 Forbes Avenue, Pittsburgh. PA 15219, in full and final settlement of the action filed at GD94-5436 alleging personal injuries sustained due to an automobile accident at the underpass on 11th Street in the City of Pittsburgh on or about November 28, 1992.

Also,

No. 1323 Resolution providing for the issuance of a \$1,500.00 (One Thousand Five Hundred Dollars) warrant in favor of Caroline Wright in settlement of a claim for sidewalk damage as a result of City tree roots, chargeable to and payable from Ca 47, Judgments.

Also,

No. 1324 Resolution providing for the issuance of a \$945.00 (Nine Hundred Forty Five Dollars) warrant in favor of James Roppelt in settlement of a claim for sidewalk damage as a result of City tree roots, chargeable to and payable from Ca 46, Judgments.

Which were read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTS:

No. 1325 Resolution amending the City of Pittsburgh's Official Sewage Facilities Plan to incorporate the Allegheny County Sanitary Authority's Comprehensive Sewage Facilities Plan. Also,

No. 1326 Resolution transferring the amount of \$33,000.00 (Thirty-Three Thousand Dollars) to various Code Accounts from Code Account 1002. Salaries and Wages, Regular Employees, City Clerk's Office to 1003. Miscellaneous Services, City Clerk's Office, \$25,000 (Twenty-Five Thousand Dollars); Code Account 1001, Salaries, Employees, Regular City Council, \$1,500.00 (One Thousand Five Hundred Dollars); and Code Account 1001-3. Education and Training, City Council \$6,500.00 (Six Thousand Five Hundred Dollars).

Which were read and referred to the Committee on Finance and Budget.

Also,

No. 1327 Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III. Districts and District Regulations, Chapter 921, Classification and Zoning District Map, Section 921.02, Zoning District Map No. 10, by changing from "S" Special and "R3" Multiple Family Residence Districts to "C3" Commercial District, certain property along the southeasterly side of Butler Street between 55th and 56th Streets in the 10th Ward.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

I'd like to ask a motion to waive relate on these two bills.

Which motion prevailed.

One of them has to do with rezoning property on Butler Street for the shopping center and there's a public hearing scheduled.

We have a public hearing tomorrow afternoon on the ALCOSAN 537 Plan. The public has been invited and Councilmembers. all Some Councilmembers have been briefed. At some point, I believe we're supposed to adopt an official resolution. I submitted one so we can adopt it. I would like the Law Department to review that to make sure it's in appropriate form.

That concludes our Presentation of Papers. We have voted on the final actions on the course of committees on the various bills. Are there other matters to be brought before the body?

I just want to briefly state a couple of things. I just want to take exception to some of the comments made by the Mayor today. I don't want to get into commentary about his whole budget because I thought it was obvious from the Mayor's comments that a lot of hard work has gone into his budget address and a lot of thought has been given, a lot of due diligence certainly with the manifestation of the Competitive Task Force.

I sensed, though, a tone a kind of berating Council which I'm a little bit surprised at because if you look down the laundry list of major development and growth initiatives, categorically, this City Council by near unanimous votes, including my own vote, has been in favor of every major development initiative. We have had some principle discussion in

regarding the Lazarus \$40,000,000.00 (Forty Million Dollar) project, but I was very clearly an adamant supporter of that proposal. I know he took exception. I realize there's a Mayor's race going on and, maybe, unfortunately, his comments were directly at maybe one of my colleagues but we bore the rest of it.

I just want to set the record straight. This Council has gone out of its way and, I think, has a very proud record and his been a very proud partner with this Mayor, with this Administration, and URA in support of countless numbers of housing, commercial, retail, and various economic development initiatives. I just, personally, take somewhat offense to that. I want to set the record straight before the letters to the editor, John Craig and everybody else takes the pen. I just want to set the record straight.

There was a little bit of spirited discussion as well as there should be regarding the Lazarus deal, there was a lot of debate and there needs to be a lot of discussion on that proposal. Clearly, we moved along and it's an exciting project. I think that it's unfair in anyway to suggest or not to suggest that this Council does not have a very important public policy and legislative responsibility to not be a rubber stamp body, but to have spirited debate and dialogue and request for information, thrashing it out. I mean, that's what our job is. That's why we're here. The Mayor can meet with individuals behind closed doors and try to be a deal maker, he's good at that, that's his job and we applaud him. When it reaches the public realm and there's matters of public debate and a lot of discussion that has to happen on financial matters and contracts and you name it, it's important that the people understand that this Council has to do that and we have to do it in a very open and public way which I would never suggest otherwise. I just want to set the record straight.

Other than some spirited debate, good debate on the Lazarus deal and other than my own concern as well as some of colleagues about special exception of the Business Privilege Tax for federated investors and broker dealers in this town and except for some debate clearly around the notion of a baseball and new stadium. I think those three instances, but out of those three instances, you can name another 120 commercial and residential development projects that all of us unanimously have supported. I just take a little bit exception. Maybe I'm being a little too sensitive and personal but I just want to set the record straight.

I do want to say two things in the very quickly about the budget in the last 10 minutes since I was up here behind the Mayor at the podium. It's not clear exactly what is in the budget. He did outline a number of important initiatives, two that I know about and that I'm very upset about and I have to take exception with. In fact, I'm organizing a town meeting on the issue.

One is the notion of removing full funding for the Paramedic Service of budget year of '97, I take exception to. I will be working very diligently, not only in my Council district but around this City at the grass roots level to make sure that this Council restores full funding to guarantee full service for the Paramedic Service that we have been proud to operate in the City of Pittsburgh for more than a decade, for a good number of years. It's

all well and good, I'm all for enlisting financial support from the hospitals and as far as I'm concerned, I have no problem listing it in the budget has a projected revenue or a hope for a revenue item. But, the notion on the other hand that we're going to cut out of the operating budget full funding for the excellent paramedic service that our residents have come to rely on, I disagree with. I will be out there being the bushes and arousing citizen concern and interest. There's no way I'm going to allow these hospitals, especially Allegheny General and University Medical Center, to take over and privatize or run the way they run their for profit or near for profit hospital system a very valuable paramedic service that I think we're all very proud of. I just think it's wrong. I may be the minority on that and maybe that Council decides that it wants to give the service to the hospital, I hope that that's not the case. I will be organizing, just like the Civilian Review Board, that's going to be a political mayoral issue also. I'm letting the Mayor know and this Council that I'm going to be out there night and day in the next few months organizing opposition to this private contortion. I don't object to hospital contributing, I think they should we require them to contribute. We should do it either legally or legislatively if we can't do it that way, then, we should do it morally by direct approach for their municipal services contribution around a paramedic service.

Out of a little over \$8,000,000.00 (Eight Million Dollar) operating budget to run an excellent paramedic service that service itself, because of the hard work of the men and women in the paramedic service, raised a little over \$6,000,000.00 (Six Million Dollars) in direct

reimbursements to third party carriers. So, unlike a lot of other departments that actually, almost, raises its own operating funds. There is a short fall. I think there are ways to meet it. We should require hospitals to kick in either through a voluntary municipal services agreement, if not, then, Councilman Onorato's earlier point. But, if it got to be the bottom line and if it had to be considered, I would still rather have a direct out of pocket contribution from individuals who benefit from the service before I just up and give this to Allegheny General and the good ole University Health Center, it's just not going to happen as far as I'm concerned.

I also take exception at the time when the Mayor has made comments in relation to Councilman Hertzberg's bill on the Human Relations Commission taking on more work relative to far more inquiries regarding any alleged police misconduct. I think it's completely vilotive and insincere on the Mayor's part of what he says is his policy to on the other hand say we're going to get the HRC (Human Relations Commission) more work, I'm going to treat seriously Councilman Hertzberg's bill about having the commission staff interviewed and render some decision at the commission level on any alleged police misconduct and at the same time make a significant cut in the operations of the commission. I hope that Council would somehow address that before the final budget is adopted.

That's just two things. I'm already out the gate in organizing a large public meeting at Sunnyside School in Stanton Heights on, I think, it's the 20th of this month and I'm asking citizens around the city to come out and save our Paramedic Services. I'm also going to take billboards

out and run ads or whatever else I have to do to make sure this becomes a Mayoral Election. I'm not a candidate for Mayor but I can tell you one thing, whether it's Bigalow Boulevard or saving the Paramedics or a lot of other issues like the Civilian Review Board, the Mayor or Mr. O'Connor or anybody else who's running for Mayor next spring is going to have to clearly identify their position on these issues.

Any other comments or discussion? Councilman O'Connor.

Mr. O'Connor:

Without going into any detail, I know I'll support you on EMS and I believe it was a shot at me and I can take it. I believe that the Mayor has had a free ride for the first two and a half years and a lot of the real estate deals that are coming some are good and some are bad. As you said, whether we're questioning the financial deals with federated, whether we question Lazarus, the Alcoa deal which I questioned very heavily. I think we have the right to do that, it's our job to do that. Again, some of the real estate deals, just because we may have mentioned it, unfortunately, it may be Alcoa or some other name, it certainly doesn't mean we're anti-business or anti-development. I think this Council has done more to bring iobs and businesses to this City since I've been here and including everyone of my members. I think we have the right to question, especially when you're spending a lot and a lot of public money. If it comes back twofold, it's very good. If it doesn't, I think he will have to be questioned on that.

The Chair:

Any other comments? Councilman Hertzberg and, then, Mr. Udin.

Mr. Hertzberg:

Relative to the Human Relations Commission, I convened an informal meeting with Budget Director Miller and the Commission Chairman, Consulman as well as the Executive Director Morrison relative to the Human Relations Commission budget and I don't think that the paperwork you have in front of you with the operating budget is being conveyed accurately.

The Chair:

By whom?

Mr. Hertzberg:

By whomever is conveying it. \$100,000.00 (One Hundred Thousand Dollars) -- what you have to do is to look at both budgets. There's \$100,000.00 (One Hundred Thousand Dollars) in the form of the CDBG source that's going into Human Relations Commission that previously was not used by the Human Relations Commission. Their budget for 1997, in fact, is at least what it was in '96 if not a little bit higher. We've tried to address the entire situation relative to the new area that the Human Relations Commission is taking on. I'm optimistic that appropriate measures have been taken and that the Human Relations Commission, by the end of the budget project, will be satisfied that they'll be in a position to handle that new area of iurisdiction.

The Chair:

Thank you. Obviously, if the Administration has decided to use some of their block grants to also fund the HRC, thereby lowering a portion of the operating budget, obviously, I don't object to that. I just want to make sure that minimally they not only maintain what they had last year, but also I think we've given them some new responsibilities and if we want to take them seriously then -- I just think that's an area that we need to look at. And, obviously, you're already looking at it.

Mr. Hertzberg:

I have been and I don't lightly introduce legislative. I intend to empower the Human Relations Commission financially to do the job that its been assigned.

The Chair:

Thank you very much. Councilman Udin.

Mr. Udin:

Yes, Mr. President. This is on another matter, not on the budget address. My office phones have been flooded with calls today relative to concerned citizens who are experiencing or witnessing a very large collection of police forces or military forces out in the East End of the City apparently making some major sweep. It is unclear, but I wish that if there was something that like that major going on that there would be some way that Council would be informed so that we could adequately inform the citizens of what's going on. It kind of reminds me of the time when we had helicopters flying around downtown in some kind of exercise. Perhaps this is what they were planning for. I would hope to see, if that's what's going on, an equal amount of energy going into sweeping the top of the narcotics triangle, those who are bringing the drugs and guns into these communities rather than continuing to chase around the streets teenagers who are running and dealing small time drugs while the big fat cats continue to import drugs and guns with impunity. I will be investigating as soon as we get out of this meeting Mr. President to find out exactly what's going on.

The Chair:

Thank you Councilman Udin, Councilman McDonald.

Ms. McDonald:

The areas that had been hit had been in Council District 9 and Councilman Udin I'll be more than happy to meet with vou about this because we've already had to -- you're talking about flooding with phone calls, this is right in my district. We had to look into finding out what exactly was involved. This was a federal bust. They've been watching and conducting an investigation for weeks and months so it's culminating. Procedurally, Council is not going to be privy to a major drug bust especially by the Feds. The bust occurs because they want to catch people and if everyone knows what's going on, you're not going to catch anyone. I didn't expect to be totally privy, but there was a hint weeks ago that something was going to come down the pipe. Personally, my response to that is that I am sick and dog gone tired of the shootings that are going on in my district, I'm tired of the small time drug dealers, I agree that they are small time and that the fat cats are there. That has always been my criticism as well. but by the same token, we've got to clean up -- I want my community cleaned up. I may not like how it's done, but right now I don't really know what other alternatives are there. I've heard from many residents who now scared to come out. Again, it's a drug bust and there are going to be people, in fact, one person has got away. So far, there's been fifteen or so in that ball park arrest and there are going to be more. In fact, about 3:00 o'clock there was a press conference at the Federal Building to talk about this. When I get back to my office and when you get back to your office, we can find out what was discussed at the press conference since that is the official presentation to the public.

For a lot of the people who are dealing drugs whether it be small time or big time, I really don't care, you shouldn't be doing it. You're killing each other in the community. You're jeopardizing my community, my people, you're holding the entire community hostage, I don't condone that, I suggest that you either clean your act up, because it's going to be under the Reecho Act, it's a heavy it and it's going I can't stop a Federal to continue. Investigation, but I would say to all of those out there who are not walking the straight and narrow right now, get it together because the community, suggest, the community is no longer to be held hostage like this, I want the killings to stop, I want the drugs to stop. I just wish that we can do it ourselves instead of having federal people or police to come in, but I just don't know if there's any other way of doing this. The bottom line is, to the small time young kids, you can always say no. You don't have to sell, you don't have to deal, you don't have to distribute,

you can say no. Many of us do that daily and still survive. We may not be rich, we may not be driving around in big cars, but we say that daily out of concern for ourselves and for people that we live around.

Again, I'm sorry to hear that there were negative consequences, but I just don't think, in terms of cleaning up something like this, you're not going to have some type of negative fall out, but I'll find out all the details when I get back to my office as well.

The Chair:

Councilman Udin then Mr. O'Connor.

Mr. Udin:

I agree with Councilwoman McDonald. I would like to see the drugs cleaned up from top to bottom, the small guys to the tiny guys. The problem is that unless they also make bust at the top, those guys that they arrest today, they'll be replaced before night fall and that's what the problem has been. Always at the bottom and not going up and down the top, that's the problem I'm concerned about. I agree with Councilwoman McDonald and anything that I can do to be of any assistance or if I get any information I'll be certain to pass it along.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I am certainly glad to see these drugs sweeps. If you remember six

months ago, we sat in Council, there was suppose to be a lot of weep and seed and a lot more stopping the drug activity. I will be keeping my eye open and I'm hoping it continues and I hope we hit some of the neighborhoods that it was promised to for months and months. I don't know how long it takes for a federal investigation, but I've been waiting a long time in certain areas where we can have that. Our senior citizens and our young people who are on the right side of the law are afraid to walk some neighborhoods and that should stop. If they can't do it, bring the National Guard and our police. I hope they come down real hard and clean this City up. They should have done it in the summer, but hopefully they'll continue this winter so we'll have a nice spring next year.

The Chair:

Well, having made a celebrating criticism on the U.S. Attorney a year and a half ago when I asked if the U.S. Attorney used the Reecho Statute. Obviously, I applaud him today and his voices if that, indeed, is going on. I know a couple of months ago, there was a grand jury convene and the Reecho Statute was used against gang members. I just hope that Reecho Net includes individuals in Fox Chapel and Mt. Lebanon who are benefiting directly financially from the drug graze in our society. That was my concern not only that Reecho be utilized at the federal level because, as Councilman Udin pointed out, people are in and they're out the next day, but in the local level, the Allegheny County Court System. If the Reecho Statute is used in the Federal Court, there's a mandatory sentencing and as well the Reecho Statute allows for the higher level of benefact to financially profit the drug market to be

taken along in tow. It's my hope that whatever actions are happening today that Reecho Net will extend out to the suburbans communities where there are higher level in profiteers who are engaged in the drug activity.

Councilman Onorato.

Mr. Onorato:

I agree with everything that you say Council President. I just want to remind everybody that a weeks or a few months ago, the shock of the people and the big story in the Post Gazette when they raided Brighton Heights, Bellevue and Ross Township. I applaud them and I glad they did it because I think that proved a big point to a lot of people that drug activity is not iust in certain neighborhoods in the City. No neighborhood is immune from it, it's everywhere. If you are going to enforce it, we should enforce it across the board in all the neighborhoods, from Brighton Heights to Northview Heights, I don't care where it is. Everyone has a right to have a safe neighborhood and I applaud them. I hope that they continue to do it equally in all neighborhoods because the worse thing you can do is to create some kind of image, that it's only happening in one area because that's not true.

The Chair:

Thank you, Councilwoman

Ms. McDonald:

The problem is and I think what impacts upon certain areas is when killings are involved as well and that's the bottom

line. We've had four deaths or more and shootings I don't even know. I don't know how many shootings, but they've been in access of six, they're probably up to ten, who knows. That's where you start to jeopardize the entire neighborhood and that's where I draw the line in the sand. What's going to happen again. I mean, it was in Garfield and Councilman Ferlo and myself, we share Garfield and that was the area where an innocent woman with children in her own house was shot dead What are we going to need? Are we going to need another one of those things for us to say, well maybe they have to do these things? Yeah, we're going to need some sweeps. I don't want another incident like I don't think I can stomach it. Therefore, I think we need to do whatever is necessary. The problem is as Councilman Udin said, as Councilman Ferlo said, as I've said we do a lot of weeding which is necessary, but we don't do a lot of seeding. We need more seeding in the neighborhoods to give these kids an alternative. I guess that's where the problem is. Yeah, drugs are everywhere, but unfortunately we're not shooting each other everywhere and I'm just trying to save a possible innocent life, it could be some kid caught in the fire.

The Chair:

Thank you. Any other comments today?

If not, this legislative section stands adjourned. Thank you.

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO.....Deputy City Clerk

Pittsburgh, PA Tuesday, November 19, 1996

PRESENT:

Mr. Cohen Mr. Cusick

Mr. Onorato Mr. Ricciardi

Mr. Hertzberg Ms. McDonald Mr. Udin Mr. Ferlo, Pres.

Mr. O'Connor

The Chair:

Good morning everyone, I would like to welcome all of our guest that are in the audience this morning. At this time I would ask that you please rise for the Pledge of Allegiance. Please remain standing so that we may have a moment of silent prayer for piece throughout the world. We are very pleased to have a student here this morning, Sadowski, Grace is seven years old and in the first grade at Elizabeth Elementary School in Sheridan

Councilman Hertzberg's district and her Mom and Dad, Frank and Catherine Sadowski, and Grace is going to lead us in the Pledge of Allegiance.

PRESENTATIONS

Thank you Grace very much, I want to thank you and your parents for coming down today and our Clerk would like to present you with a flag of our great nation and a flag of our City of Pittsburgh.

As I stated earlier we have a number of honored guest in the audience this morning and I would like to call on Councilman Cohen.

MR. COHEN PRESENTED:

Good morning everyone, would Walt Harper and H.B. please come up to the microphone. Members of Council this is going to be a fun proclamation. We are very honored to have Mr. Walt Harper and H. B., I want to tell you about H. B. Bennett, as many Wednesdays as I can I try to take my son to Jazz for juniors at the Balcony in Shadyside. If you haven't been there you should go, even if you don't have little kids, it's a great time. Joe Negri and his band play and H. B. plays drums and is a great drummer in fact. As I was leaving the Balcony after the last concert, H. B. ran up and grabbed me, now you gotta be aware of people whose name begins with two letters, I have one of those in my office C. J., anyway he said did you know that Ray Brown was coming to town, I said no I did not, please tell me who Ray Brown is. In fact it shows I don't know nearly enough about Jazz as I should, because Ray Brown is a preeminent native Pittsburgher and jazz bass player and we are very very honored to have him come to our City this weekend.

We are very honored to have this morning Mr. Walt Harper, now everybody knows who Walt Harper is, he is a renowned jazz pianist who has owned several jazz clubs in the City, Walt has a close relationship with Ray Brown in fact he has a recent album which Ray Brown has produced called West Coast On Line. He is going to reveal to us what his new album in going to be and I would like to read this proclamation in honor of Ray Brown coming here this weekend.

No. 1333. WHEREAS, jazz music is a uniquely American art form, born and nurtured in this country; and

WHEREAS, Pittsburgh native Ray Brown, 70 years young this year, has distinguished himself in the annals of jazz music by virtue of his mastery of the string bass; and

WHEREAS, Ray Brown, has played with such icons as Dizzy Gillespie, Max Roach, Charlie Parker, Ella Fitzgerald, Coleman Hawkins, Ben Webster, Lester Young, fellow Pittsburgher Harry "Sweets" Edison, Roy Eldridge, Johnny Hodges, J.J. Johnson and Oscar Peterson; and

WHEREAS, the New Yorker Magazine, dated October 6, 1996, called Ray Brown "the world's greatest jazz bassist. His tone is as thick as molasses, his timing as natural as the rhythm of

waves; the swing of his lines could move mountains. His melody-obsessed solos are a joy, overflowing with sturdy blues phrases and tuneful passages. He's the man to beat - and no one has come close yet."; and

WHEREAS, Ray Brown currently plays with a musical trio including piano virtuoso Benny Green and talented drummer Greg Hutchinson; and

WHEREAS, all of Pittsburgh is fortunate that the newly refurbished Balcony in Shadyside will host the Ray Brown Trio for three days, November 21, 22, and 23, 1996.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and congratulates one of jazz's greats, Ray Brown; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares November 21, 1996 to be "Ray Brown Day" in the City of Pittsburgh.

Mr. FERLO moved to adopt the resolution.

Mr. HERTZBERG seconded the motion.

Which motion prevailed.

Mr. Cohen:

Thank you, I would like to have H. B. Bennet come here first and then we are going to work up to the climax of having Walt Harper speak to us. H. B., thank you for telling me about this day and also for your talent as a drummer with many bands

in this area. Please come up and tell us about the program.

Mr. Bennett:

Thank you Dan, thank you everybody. I would like to thank C.. J. Liss and Dan Cohen for helping us put this together. It is a real honor to be able to contribute to bring in somebody like Ray, unfortunately he just got back from France, he is constantly on the road, at seventy years old that is quite a feat, he certainly doesn't need the money, I don't think, but it's really special to bring him in and have him grace our stage at the Balcony and I know he is really appreciative of this proclamation.

I spoke to him yesterday and he wanted me to convey his thanks. There are very few seats left so come down. I thank you once again.

Mr. Cohen:

Now I would like to present this proclamation to a very close friend of Ray Brown's, a great jazz pianist and a great asset to the City of Pittsburgh, Mr. Walt Harper.

Mr. Harper:

Thank you very much. I talked to Ray yesterday and he was overwhelmed that City Council had presented him with this. I told him how lucky he was, also J.B. said he really doesn't need the money, I can't confer with that J.B. we all need a little money.

But anyway, Ray Brown is considered the pioneer and the catalyst between modern jazz as it is played today

and from when it was played before. Give you a little information about how we knew he was so good. When we were about seventeen years old we used to have this little band, we used to practice in a little place called the Musicians Club and that was on Wylie Avenue. There was a bass player from Pittsburgh who was with Basie's band at that time and he came by to hear what was happening. So I used to write little things for Ray and he would play them. So he came by this time and Ray played this little melody and he said would you play that again. Ray played it again, and he said would you do me a favor and would you guys rehearse tomorrow I want some of the band to hear it. So the whole Band came up and Ray played and they couldn't believe how he played, That's when we first found out he was a genius.

Anyway Ray has kind of reached another pinnacle in his career, he has a trio that features Bennie Green on piano who is a great pianist, also an excellent drummer Hutchinson. They will be at the Balcony and Ray has also recorded his favorite tenor sax players which includes Stanley Turrantine of Pittsburgh and also our last CD West Coast On-line and I am very proud to say that I am going back to California in a couple weeks and we are going to finish up the CD with Ray the producer and we will bring out next year, and we are going to call it the G Baby.

On behalf of Ray Brown and the City of Pittsburgh which I know is very proud of Ray I thank you very much.

Mr. Udin:

I just want to join in congratulating Walt and the Balcony for bringing Ray

Brown in. He is certainly not only a Pittsburgh treasurer but a national and international treasurer. I am reminded of one of Ray Brown's biggest fans, Councilman Jake Milliones. Jake used to try to play the bass. He absolutely loved everything that Ray Brown ever did or recorded. Whenever he heard Ray Brown was in town or anywhere near, he would stop whatever he was doing and make sure he caught the concert. So thank you very much for bringing back some good memories.

Mr. Cusick:

The Recording Secretary of Local 3 Iron Workers, Larry Collins please come up. I am very honored to do this proclamation today, and will explain in just a moment.

MR. CUSICK PRESENTED:

Bill No. 1334. WHEREAS, the International Association of Bridge, Structural and Ornamental Iron Workers and Pittsburgh's Local No. 3 have played a vital role in the history and success of the city of Pittsburgh and our Country; and,

WHEREAS, on February 6, 1896 Structural Iron Workers from around the nation met in Pittsburgh to discuss demanding a \$3 a day wage for an eight hour work day and to form the Bridge Builders and Structural Iron Workers of America: and.

WHEREAS, since the organization of the union, Iron Workers have helped to rebuild and reshape the face our nation and the City of Pittsburgh through the building of skyscrapers, bridges, tunnels, and highways; and,

WHEREAS, the International Association of Bridge, Structural and Ornamental Iron Workers have provided employment for thousands of residents and provided their employers and taxpayers with high quality work; and,

WHEREAS, the actions of the International Association of Bridge, Structural and Ornamental Iron Workers and Pittsburgh's Local No. 3 over the last 100 years have been paramount in improving the conditions for all American workers.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the International Association of Bridge, Structural and Ornamental Iron Workers and Pittsburgh's Local No. 3 leadership and members for their important contributions to the American Labor Movement and to the success of our great country.

Mr. Cohen moved to adopt the resolution.

Mr. Hertzberg seconded the motion.

Which motion prevailed.

Mr. Cusick:

I have before me a copy of an old newspaper and I hope that each of the Council members get an opportunity to go over it. It has some neat articles in it and talks about how the workers wanted to go from \$2.50 to \$3.00 for a nine hour day and how unions have played such a vital part in forming our great country. It is amazing to see and we just witnessed Walt Harper as he told some of the stories up on

Wylie Avenue and in other parts of the city such important meetings were just being held to form this country. So in a lot of different areas Pittsburgh is a leader.

I have with me today the Financial Secretary of Local 3, before I ask him to talk, the reason this is so important to me is my Great Uncle Dick and Grandfather Regis Cusick were some of the founding charter members of Local and my father and brother are also members of Local 3. I knew what it was like growing up in a union household, how many nights my father would come home with a red face and angry about if they could get the work and stand on picket lines and how important it was to our family and how important it is to me today to have that experience. Today is special to have with me Larry Collins of the Iron Workers whose father is a former Business Agent of Local 818 on Banksville Road and was my brother Bernard's start in the iron workers.

Larry please tell us a little about the iron workers and how we are here today.

Mr. Collins:

Thank you and thank you President Ferlo and all the Councilmembers, especially Councilman Cusick.

My name is Larry Collins, I am the Financial Secretary/Treasurer of Iron Workers Local 3, we are very proud that we have our hundredth anniversary this year, we were formed right here in Pittsburgh, an international union and as Bernie stated he comes from an iron worker family, I also do. It is an honor for me to accept this proclamation on behalf of the 2,400 active and retired members of the Western Pennsylvania Local 3.

We built this City, that's what is on a lot of the shirts we wear, and we certainly did, you see the skyscrapers and bridges around the city that's the iron workers. We are one of the proudest, toughest, strongest unions, proud to say that. Some of the press you read about, unions, the labor movement is alive and well, especially here in the City of Pittsburgh. Thank you very much.

Mr. Hertzberg:

Everyone that is here with the Carnegie Centennial awards, it's a large group of people, there are three individuals that received awards, their families, their sponsors, everyone want to come forward please.

With the one hundredth anniversary of the Carnegie there was a new award established called the centennial award and it honors some young people that volunteered their time without pay as was the tradition and cause that was advocated by Andrew Carnegie.

I have with us today, Nancy Rackoff who was the co-chair of the centennial award program, also the award winners Elizabeth Ryan, with her parents Ray and Monica, she was the award winner in the music category, Adrian Irwin of Carnegie performing arts was the sponsor. Sherry Homme in literature, she is accompanied by her parents Clara and Jim, her brother Gerald her sister Jenny and from the Open Door in Crafton Heights Debra Wienheimer and Rev. David Carver. Then in the art category, Maileah Vue is here with Bill Hoover of the West End Elliott Citizens Council.

I will read all three of the Resolutions and then we will here from some of the individuals and their sponsors.

MR. HERTZBERG PRESENTED:

Bill No. 1335. WHEREAS, Sherry Homme, daughter of Clara and Jim Homme, of the 28th Ward of the City of Pittsburgh, Allegheny County, PA, recently received the Carnegie Centennial Award in the category of Literature; and

WHEREAS, The Carnegie Museums and Carnegie Library of Pittsburgh, to commemorate their 100th anniversary, established the Carnegie Centennial Award in categories of Art, Literature, Music and Science; and

WHEREAS, The Open Door Community Center nominated Sherry for the Literature Award for her volunteer work with the after school reading program where she taught children how to make learning fun and for her summer writing program teaching children the basics so that each child wrote a story of their own;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Sherry for her winning such a prestigious award, her generous contribution to young children, and wishes her continued success in the future.

Also

No.1336. WHEREAS, Elizabeth Ryan, daughter of Monica and Ray Ryan of the 20th Ward of the City of Pittsburgh, Allegheny County, PA, and an outstanding ballet student, recently received the Carnegie Centennial Award in the category of Music; and

WHEREAS, The Carnegie Museums and Carnegie Library of Pittsburgh, to commemorate their 100th anniversary, established the Carnegie Centennial Award in categories of Art, Literature, Music and Science; and

WHEREAS, The Carnegie Performing Arts Center in Carnegie nominated Elizabeth for the Music Award for her volunteer work, four days a week, to their program as choreographer, wardrobe mistress, back stage manager, costume storage custodian and teacher of young ballet students;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Elizabeth for her winning such a prestigious award and her generous contribution to young children and wishes her continued success in the future.

Bill No. 1337. WHEREAS, Maileah Vue, daughter of Yiang and Bonayer Vue, of the 20th Ward of the City of Pittsburgh, Allegheny County, PA, recently received the Carnegie Centennial Award in the category of Art; and

WHEREAS, The Carnegie Museums and Carnegie Library of Pittsburgh, to commemorate their 100th anniversary, established the Carnegie Centennial Award in categories of Art, Literature, Music and Science; and

WHEREAS, the West End/Elliott Citizens Council nominated Maileah for the Art Award for her leadership role working with artist Robert Qualters and a high school group who created a beautiful mural known as The West End Wall of Cultural Pride; and for her volunteer services in the community;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Maileah for her winning such a prestigious award, her exceptional contribution to the community, and wishes her continued success in the future.

Mr. Cohen moved to adopt the resolutions.

Mr. Ricciardi seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

We have Nancy Rackoff here from the Carnegie Centennial, if you would like to say a few words.

Ms. Rackoff:

It is my privilege to be here today and we are thrilled with the awardees for our first annual Carnegie Centennial Awards, we call them our Andy's. By way of background Carnegie Museum and Library of Pittsburgh established the centennial award to commemorate the hundred vear anniversary establishment of the Museum and Library by Andrew Carnegie. Andrew Carnegie believed that individuals who devote themselves, without reward, to the good of the community are among the most valuable assets of the community. honor this philosophy we established this prize to recognize those individuals between the ages of 15 and 25 who enriched a community or neighborhood located within Allegheny County.

This first centennial award has been presented to these young individuals who have demonstrated exlempinary leadership and commitment in a volunteer capacity, through initiative or project related to one of the following categories; art, literature, music and science. These representing those disciplines which Andrew Carnegie supported in the establishment of the Museum and the Library.

In honoring these individuals we solicited nominations from community organizations, it was a partnership between those organizations submitting the applications and the selection of awardees. I can tell you we had a disquinshed panel of judges who read through the monimations and made a selection of our awardees, the locations and their district were only a coindenence.

I also want to mention the fourth category science, the awardee was Deanna Jones with the Pittsburgh Literacy Council. I would like to thank City Council becaue this is our first anual award and we would like to have this as an enduring legacy and we would like to look forward to this as a continuing effort.

The prize that has been received by these awardees is a \$250.00 cash award, a lifetime pass to the Carnegie Museum's as well as the mominating organization receiving a \$250.00 cash award. Lastly the mominating organization and the awardee are given an opportunity to select from a list of resources and programs that are made available at the Carnegie Museum and Library, and we congratulate them

once again. Thank you very much for this opportunity.

Mr. Hertzberg:

I hope we can hear from some of the awardees, I think Sherry came first in my order of presentations. Sherry.

Ms. Homme:

I really don't know what to say except that I am honored to be hear, really I never expected to win and winning the award itself to me was enough of an honor. There just isn't more to say than that.

Mr. Hertzberg:

And Elizabeth Ryan, I know her award was in the music category, it must run in the family. Would you like to say anything Elizabeth? No, okay congratulations. Then in art Maileah Vue would you like to say any thing?

Ms. Vue:

Good morning ladies and gentleman, I am first of all very honored to have the Carnegie Centennial Award and thanks to Councilman Hertzberg who gave the proclamation today. There are so many people I do want to thank, but I would be here all day and I do want to give other people a chance to speak as well.

It is really important to me, especially people like Councilman Hertzberg and for people like myself to encourage those who are to follow us. We are building a foundation for those to follow. I thank my Mom and Dad for enriching me with my culture and those talents through art and giving speeches

about who I am and where I come from. A lot of people really appreciate that and it makes me feel good about who I am, what I have done and where I come from.

Also a special thanks to the Carnegie, the Western Library and the West End Elliott Citizens Council for nominating me, I am truly honored and flattered and I still can't believe that this is happening to me. There are people I do want to thank and they know who they are. Thank you.

Mr. Hertzberg:

I have neglected to introduce Marlene Demarest from the West End Library who is here with us and she was very much involved with the mural that was painted. Any of the sponsors like to say any thing. Bill Hoover.

Mr. Hoover:

Mr. President Ferlo and Councilmembers, it is with great pleasure that I stand here before all of you today for the awards that these young adults have been given. It is with pride that I can say that we sponsored one of them, but it is also with pride that I can say that from the Western part of the city the other two awardees are also. So we are still in the City of Pittsburgh, even though some times we are forgotten. Congratulations to the awardees and we welcome the rest of the people of the City of Pittsburgh to come to our area and see our wonderful overlook, Crafton Heights, Sheridan and the rest of the communities that are over there and are still thriving. Also, come by the library and see the mural that Maileah and here associates with Mr. Oualters have made and is now displayed along side the library. It is very beautiful and it will be a welcome sight for you to see in our area.

Thank you very much and congratulation again to the awardees of these prestigious awards.

Mr. Hertzberg:

President Ferlo recently told me he had always called that the West End Elliott Overlook, he always associated--Elliott West End Overlook. Any of the other sponsors like to say anything?
Adrian from Carnegie Performing Arts.

Ms. Irwin:

I represent Carnegie Performing Arts Center. It is a small arts organization that literally wouldn't exist without the giving of volunteers. Of course a volunteer doesn't expect to be compensated or recognized but I just want to thank Councilman Hertzberg and City Council and the Carnegie Centennial for giving us this opportunity to recognize a very special young person who has touched all of us. You don't know what she does, she cleans, she vacuums, she baby sits, she will do anything without asking and that's the kind of young person who is just wonderful. Even though she won't talk.

Mr. Hertzberg:

From the Open Door any comments?

Ms. Weinheimer:

My name is Debbie Weinheimer and I am the Director at the Open Door of Crafton Heights. I could talk about Sherry all day to you, I appreciate all the work that she does for us and the children that live in our neighborhood and our city. But I guess what I want to say, I want to remind all of us, that so often we here about things that teenagers are doing that are not appropriate or helpful or enabling us to grow as a city. I just want to remind you that gosh, there are some kids that are doing some really important things. So we need to thank all of them for reminding us of that.

MR. HERTZBERG PRESENTS:

Bill No. 1338. WHEREAS, Richard W. Mullaney, Jr., son of Richard and Kathleen Mullaney, is a member of the Boy Scouts of America, Troop #66, sponsored by Sheraden Community Church on Allendale Street, in the 20th Ward of the City of Pittsburgh, Allegheny County, PA; and

WHEREAS, Rich has satisfied the Eagle Scout requirement of earning 21 merit badges, of which 11 are mandatory in the Outdoor, Fitness and Service Fields, and 10 are in the Fields of his own choice; and

WHEREAS, Rich was a Senior Patrol Leader, and for his service project, under his leadership, and in cooperation with the American Heart Association, approximately 15 scouts educated and certified at least 50 residents of the Westwood and Sheraden neighborhoods in the important and life saving act of proper CPR procedure; and

WHEREAS, only those young men who have been outstanding in scouting, exhibit only the highest ideals, have the esteem of their community and fellow scouts, and serve in a position of responsibility and leadership obtain Eagle

Scout status, the highest rank in the Boy Scouts; and

WHEREAS, Rich, through his enthusiasm, hard work and dedication has successfully fulfilled all these requirements and has been presented with the Eagle Badge at the Court of Honor ceremonies November 15, 1996.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Richard W. Mullaney Jr. on his recent achievement

Ms. McDonald moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

The Chair:

At this time I would like to welcome the students from Brashear's Alternative Program, I believe their teacher is also here Megan Reedshaw, good morning and thank you for visiting Council Chambers today.

MS. McDONALD PRESENTED:

Bill No. 1339. WHEREAS, in 1871. Homewood African Methodist Episcopal Zion Church was founded by the Little. Reed. Owen, Morrison, Pole, Johnson and Alexander families in the home of Robert Reed. During the 125 years of its existence in the community, the Homewood African Methodist Episcopal Zion Church has touched many hearts and lives of Pittsburghers; and

WHEREAS, descendants of the families which founded Homewood African Methodist Episcopal Zion Church are still very involved with the endeavors of the church and have made significant contributions, both tangible and intangible, to the church and to the community; and

WHEREAS, Homewood African Methodist Episcopal Zion Church has been a formidable congregation. It has endured many hardships throughout its history, including various housing changes and financial difficulties. Through the strong leadership of its pastors and bishops, it has prevailed; and

WHEREAS, currently, Homewood African Methodist Episcopal Zion Church is blessed with the leadership of Bishop Marshall H. Strickland, Presiding Prelate of the Mid-Atlantic I Episcopal District, and Rev. Dr. George A. Fitch, Pastor and Presiding Elder. These clergymen have been essential in the success of the church.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the members of Homewood African Methodist Episcopal Zion Church for its continuing offerings to the lives of many families and individuals in Homewood and service to the Pittsburgh community.

Also,

Bill No. 1340. WHEREAS, on Thursday, November 21, 1996, the POISE Foundation will hold a gala event honoring founder and president, Bernard H. Jones, Sr.; and

WHEREAS, featured speakers include Honorary Event Chairperson

Valerie Richardson Jackson, former First Lady of Atlanta and Bishop Roy C. Nichols. Master of Ceremonies is C.S. Keys of WPXI-TV and the event features performances by youth from the African-American Music Institute; and

WHEREAS, in 1959 Bernard H. Jones began an Explorer Scout Post at the Hill City Youth Municipality of Pittsburgh. He worked closely with the youth and their parents, instilled in them a sense of ethnic pride, an appreciation for a strong work ethic, and the beginnings of an entrepreneurial spirit that was destined to pay dividends in the future; and

WHEREAS, Mr. Jones continued his efforts through work with the Urban Youth Action and the investment organizations of THE MINISTERS and PAID. In 1973 he recommended that the three groups combine their resources to form UMP Associates. Despite all his work, Bernard H. Jones took further initiative. In December, 1980 the POISE Foundation was incorporated in the state of Pennsylvania as a public charitable foundation with Mr. Jones as its Founder and President; and

WHEREAS, at the time of its founding, the POISE Foundation was one of a handful in the nation, and the only African-American community foundation in the Commonwealth of Pennsylvania. The Foundation has more than exceeded its mission to be "an essential segment of those voices of hope and reason which must be sustained in order to combat problems with blight in the black community, and hence society as a whole".

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends the POISE Foundation for its activism on behalf of the African-American community and the City and joins the Foundation in honoring Bernard H. Jones, Sr. for his hard work and dedication to its cause.

Mr. Hertzberg moved to adopt the resolutions.

Mr. Cusick seconded the motion.

Which motion prevailed.

Ms. McDonald:

The lead sponsor on this resolution is Councilman O'Connor and I had the same idea so we are co-sponsoring this. He asked if I could read this, okay we have Merritt Spier Executive Director of PCTV and Doug Shields who is Councilman O'Connor's Chief of Staff, can I call you that, whatever you are you work in the office. Doug happens to be on the Board of PCTV. I will read the resolution and it will explain what is going on here.

MS. MCDONALD & MR. O'CONNOR PRESENTED:

Bill No. 1341 WHEREAS, Pittsburgh Community Television (PCTV), a non-profit organization in the Commonwealth of Pennsylvania, has served the citizens of the City of Pittsburgh for 10 years by providing a community access television station; and,

WHEREAS, PCTV is the modern expression of our founding fathers and mothers desire for all citizens to be able to speak freely and openly; and,

WHEREAS, PCTV is a means to express the proud heritage and broad diversity that is Pittsburgh; and,

WHEREAS, PCTV is a patron of the arts, celebrating the vast wealth of artistic talent of Pittsburgh in music, performance, drama, and all other means of artistic expression; and,

WHEREAS, PCTV has trained 7,918 citizens of Pittsburgh in television arts and sciences, including video production, tape editing, sound, camera operation, set design, lighting, and many have used this training to enter or enhance careers in media; and,

WHEREAS, PCTV's Community Producers have created 6,278 local programs for viewing by over 105,000 homes in Pittsburgh via PCTV City Cable Channel 21.

THEREFORE BE IT NOW. RESOLVED, that the Council of the City of Pittsburgh does hereby honor Pittsburgh Community Television, Channel 21, on its' Tenth Anniversary, November 19, 1996, and provide its support that PCTV should continue the role that it has so ably fulfilled, providing community access television for the citizens of the City of Pittsburgh through all transmission media. including satellite, cable and Internet, and be supported in this mission by all content providers; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 1, 1996 the true and official anniversary of PCTV becoming an independent non-profit

organization and declare the day to be "PCTV Day" in the City of Pittsburgh.

Mr. Hertzberg moved to adopt the resolution.

Mr. Cohen seconded the motion.

Which motion prevailed.

Ms. McDonald:

It seems like more than 10 years. PCTV has been around for many years. When I first discovered there was a tenth anniversary, when I was down at the studio doing a taping for one of the shows, I felt it had been more than ten years. It has only been ten years I think if feels that way because it is so evident in all of our households. It is so easy to access and provides us with really local type of television that displays again everyone that is in Pittsburgh from their performances to their opinions. So I appreciate it, I have used PCTV's opportunities to be able to inform my community as to what is going on in Council District 9. So I encourage you if you have it flick that channel on, you would be surprised as to who is on there. So turn that channel on and lets celebrate free cable access on channel 21 through PCTV, and Merritt thank you very much.

Ms. Spier:

Thank you very much, hi Helena, a founding member of PCTV is sitting in the audience. Helena Hughes and I am very happy to see her here today.

PCTV is used by some of you to reach your constituents and by many of your constituents to reach the community. It is a very viable and important organization in this City and I am very proud today to accept this on behalf of PCTV. We are celebrating our Tenth Year Anniversary as a non profit organization tonight with a big party and I will be very happy to read this for everybody that is there. Thank you very much I appreciate it.

Mr. O'Connor:

I just want to thank you for all you do for the community, I know you were very helpful, helping us with the sports program every year. It is such an asset to have you in our community and serve so many people. As Valerie said you never know who you will see on there, I tuned in the other day and saw a minister friend of mine. You see all kinds of people, of course Valerie gets a little too much, I want to try and equal her press time.

A few minutes ago we were talking and someone asked when was the last time Pittsburgh had a world championship and we were talking about the seventies, the Steelers, the Pirates and of course the Penguins in 91 and 92. But Pittsburgh has in Chip Ganassi here a PPG World Ccup Indy car championship that he brought home to Pittsburgh here. Although Pittsburgh doesn't have it's own race track yet, someday we hope we do. I don't know if most of you know my uncle was a champion race driver in Heildelberg in the 50's and 60's, so I have been following racing for years. I went to Indianapolis since I was sixteen and we went thirty years in a row. In 1983 I was so excited to see Chip a fellow Pittsburgher in his first year driving.

I am very honored to have him here on behalf of the Target Ganassi racing team and not only that, he is one of the owners of the Pirates, so he is a true Pittsburgh champion and has his heart and soul into Pittsburgh. I would like to read this resolution, he is very bashful I have been trying for a couple years after he has won a couple races, I always ask and could never get him to come up here.

MR. O'CONNOR PRESENTED:

Bill No. 1342 WHEREAS, Chip Ganassi was born on May 24, 1958 in Pittsburgh, Pennsylvania; graduating from Duquesne University in 1982, with a Bachelor's degree in Finance; and.

WHEREAS, Chip Ganassi is the Executive Vice President of FRG Group, a Pittsburgh holding company with interests in telecommunications, manufacturing and computer businesses. He is also a partner in the Pittsburgh Pirates; and,

WHEREAS, in 1983, Chip Ganassi competed in 10 of 13 races, placed ninth in the PPG Cup standings and was voted Most Improved Driver by his peers. He finished third both at Las Vegas and Laguna Seca and was eighth at Indianapolis. In 1984, Chip finished a career-best second at Cleveland, ending the season when he suffered injuries in a serious accident with Al Unser, Jr. at the Michigan 500; and,

WHEREAS, Chip Ganassi went on to compete at Indianapolis again in 1985, and 1986, and then retired early in the 1986 season, with nine top-10 finishes in just 28 Indy Car appearances; and,

WHEREAS, Chip Ganassi, a Pittsburgh resident, formed his own team in 1990 with Target Stores' sponsorship and worked diligently to consistently upgrade his operation, assembling an arsenal that included Jimmy Vasser and Alex Zanardi. In 1996, Vasser took four victories and the PPG Cup and Zanardi had three wins, third place in the championship and the Rookie of the Year title.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Chip Ganassi, Jimmy Vasser and Target on winning the PPG Indy Car World Series; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby commend Chip Ganassi on his commitment and undoubted love for the City of Pittsburgh and declares Tuesday, November 19, 1996, "Chip Ganassi Day" in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Hertzberg seconded the motion.

Which motion prevailed.

Mr. Ganassi:

Thank you very much Councilman O'Connor and other Council Members. I will tell you when you get involved in racing and your traveling all around and people ask what you were doing, they didn't really understand it. It was an honor for me to bring home the championship to Pittsburgh, it is actually the PPG Cup that the teams win. With PPG here in Pittsburgh it is an honor to bring the cup home.

I can say, as many of you can understand when you travel around there is no where you can go that there is not a Pittsburgh story or Pittsburgher there. It is my honor to represent our city in the Indy Car series and hopefully it won't take eight years to get the Pirates turned around as well. Thank you.

MR. ONORATO PRESENTED:

Bill No. 1343. WHEREAS, Anthony Fusco has owned and operated Anthony's Barber Shop for fifty years; and

WHEREAS, Mr. Fusco began cutting hair on November 4, 1946 in the Brighton Heights neighborhood of the City of Pittsburgh; and

WHEREAS, Anthony has been happily married for 58 years, has two children, nine grandchildren, and four great-grandchildren; and

WHEREAS, Anthony has taken great pleasure in serving numerous individuals in the area during the past 50 years, getting to know many of them on a personal level and working with 3 or 4 generations of neighbors and friends.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby thanks Anthony Fusco for his many years of dedicated and exceptional service to the residents of the City of Pittsburgh and congratulates him on his 50th Anniversary as the proprietor of Anthony's Barber Shop.

Mr. Cohen moved to adopt the resolution.

Mr. Cusick seconded the motion.

Which motion prevailed.

Mr. Udin:

First of all I would like to ask Mr. Cephus Huff and his guest to come forward. One of the oldest and most model families in the City of Pittsburgh is the The whole family for Huff family. generations has contributed much to the City of Pittsburgh. The one Huff that we are celebrating today is a man who has dedicated forty two years of his life to public service in the City of Pittsburgh. Most of which was working in the Housing Authority of the city. At a dinner that was given for him at Three Rivers Stadium Allegheny Club the other night, I mentioned that I noticed Mayor Murphy crying because he realized how many people it would take to replace Cephus Huff once he retired, given the budget constraints of the city.

Mr. Huff will be missed because during his years of service he has just accumulated such a large collection of friends from the top to the bottom of any scale you want to mention. The people who worked for him respect and love him, the residents who were the beneficiary of his dedication to work in public housing respect and love him, the people who supervised him respect and love him. So I am really proud and honored to present this resolution to Cephus Huff and I will read it.

MR. UDIN PRESENTED:

Bill No. 1344. WHEREAS, Mr. Huff has worked under six different executive directors during his tenure, working within various departments of the

Housing Authority and with employees of the City of Pittsburgh maintenance divisions; and

WHEREAS, Mr. Huff has also worked diligently with the Tenant Council Presidents and residents of the Housing Authority to ensure the best quality of life for everyone living there; and

WHEREAS, Mr. Huff has always been a responsible, intelligent, energetic, hard working and personable individual. His sense of dedication and moral fiber makes him worthy of respect. He is an indefatigable person who required much but never more than he was willing to give, and he has the uncanny ability to inspire people to share his enthusiasm in carrying out their duties; and

WHEREAS, Mr. Huff has shown extraordinary leadership, unselfish contribution, dedication and determination, and has been a true asset to the Housing Authority of the City of Pittsburgh above and beyond the call of duty for many years.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends and congratulates Mr. Cephus Huff for his lengthy tenure of service to the City of Pittsburgh Housing Authority.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh proclaims November 20th as Cephus Huff Day in the City of Pittsburgh.

Ms. McDonald moved to adopt the resolution.

Mr. Hertzberg seconded the motion.

Which motion prevailed.

Mr. Huff:

Thank you very much Mr. Ferlo and members of Council. I have a few words to say that today I wouldn't be here if it wasn't for the residents of the Housing Authority and not only that if it wasn't for my former employees that I worked with. They made this day possible, I thank the officials of the Housing Authority for giving me the opportunity to work there for them for many years.

Even though I am leaving the Housing Authority I will still be around in some kind of capacity to do something. I am not finished yet. Thank you.

Mr. Udin:

I would like to call now Gail Moss and the representatives of the National Education Funding Support Day. Valerie will you please join us.

The National Education Funding Support Day was a national event that took place on October 23, representatives from several cities got together to demonstrate to public officials the extreme importance for funding of public education. Throughout the presidential campaign the number one issue for many people in the country was education. How timely it is, that even last night throughout Pittsburgh parents were mobilized around just a basic principle of funding for education.

No matter how you come down on issues of curriculum, of transportation., of desegregation, none of that means anything if the schools are not adequately supported with sufficient finance at the federal and

state level. So funding for education is an issue which can ignite a broad cross section of people.

Although it is kind of retroactive to October 23, I want to commend Gail and the other representatives who are with us today on the work that they did to make Pittsburgh a part of a national effort to raise awareness about funding education.

MR. UDIN & MS. MCDONALD PRESENTED:

Bill No. 1345. WHEREAS, Today, October 23, 1996, educators, students, parents, families, church organizations, community leaders, businesses, fraternities and sororities, labor leaders and civic leaders will mobilize all efforts to endorse the National Education Funding Support Day, and

WHEREAS, members from twenty six cities including Atlanta, Charleston, Chicago, Dallas, Detroit, Houston, Jacksonville, Los Angeles, Milwaukee, New York, Philadelphia, Washington D.C., and Pittsburgh will act as one large city and send a loud message across America, and

WHEREAS, this one large voice will demand to impede the drastic reductions in federal funding for education, make it clear that we are fighting for our children's education, and garner support for their motto: "From Rhetoric To Action: Supporting Our Schools," and

WHEREAS, the sponsors of this event are the National Commission for African American Education, Congressman Major Owens, Founder, Dr. Claude Mayberry, Chairman, Dr. Edith J.

Patterson, National Chairman-NEFSD and Dr. Lelia Allen, National Co-Chairman-NEFSD, and

WHEREAS, our future is in jeopardy if we do not rise to the challenge and take an active role in helping to educate children from kindergarten to college, and recognize that although children makes up 40 percent of the population, they really represent 100 percent of our future.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh supports the National Education Funding Support Day, and

BE IT FURTHER RESOLVED that October 23, 1996 will be declared National Education Funding Support Day in the City of Pittsburgh.

Mr. Cohen moved to adopt the resolution.

Mr. Cusick seconded the motion.

Which motion prevailed.

Ms. Moss:

President Ferlo and other members we thank you. On behalf of the National Commission for African American Education, founded by Congressman Major Owens and our National co-chair, who is a resident of Pittsburgh, Dr.Lelia Allen we just want to thank you. I bring greetings from them.

The National Education Funding Support Day, which was on October 23, and it was across this country of twenty six cities that participated, we were very proud that Pittsburgh was one of the cities among that number. The model for this program was taken from the Nation Night Out Against Crime and it was a special day for us because it represented a Morning Out for Education, which supports our schools and our college's. So we are just thanking you again and remember our motto, "From Rhetoric To Action: Supporting Our Schools."

Now I have with me the committee that has worked on this program, and I am going to try to remember all names. We have Dr. Allen's daughter and daughter inlaw, Doreen Allen and Cheritta Allen is the daughter; we have Betty Tillman, Carolyn Franklin, Dr. Helena Hughes, and representatives from the Job Corps which is Keitha Ann Libman, who wants to say a few words and she brought along a student. Again, we thank you.

Ms. Libman:

Thank you very much Gail, every nine seconds a student drops out of school. Many of these students have a chance to go to Pittsburgh Job Corps, a second chance to continue their education and their training, continued funding to the job corps program will ensure that this commitment to our most at risk youth will continue. I have with me Sherry Freeman to just say a few words about what Job Corps and continued education has meant to her.

Ms. Freeman:

I would just like to thank the Pittsburgh Job Corps for giving me a second chance, for letting me believe in myself they gave me a second chance to continue my college education. Thank you.

Ms. Allen:

Good morning, my name is Doreen Allen, I am an educator, my husband William Carey Allen is an educator. We are where the rubber meets the road everyday and I am hear to testify that we definitely need everyone's support. We are just a small part of the equation but next year we need to look for everybody's support in order to make this a success. Thank you.

Ms. Moss:

I would be remiss if I didn't say this, I just want to give a little special thanks to Councilman Udin for supporting this effort, and also Councilwoman McDonald.

The Chair:

That concludes our read and adopted resolutions. We will move to presentation of papers. Councilman Cohen Committee on Public Safety Services.

MR. COHEN PRESENTED:

No. 1346 Resolution
authorizing the transfer of an aggregate
total of Two Million Six Hundred
Thirty-Five Thousand Dollars
(\$2,635,000.00) from various code accounts
to Fire Premium Pay, Code Account
1461-1, Index Code 146118; and Twenty
Thousand Dollars \$(20,000.00) from
Salaries and Wages, Bureau of Police, Code

Account 1443, Index Code 144303 to Fire In-Grade, Code Account 1461-2, Index Code 146126; and Five Hundred Dollars(\$500.00) from Salaries and Wages, Bureau of Police Code Account 1443, Index Code 144303 to Fire Longevity, Code Account 1461-3, Index Code 146134.

The Chair:

Do we need to waive Rule 8 on that since it was an interim approval?

Mr. Cohen:

I have not been informed of that Mr. President.

Which was read and referred to the Committee on Finance and Budget.

Committee for Parks Recreation and Youth Police. Mr. Cohen for Mr. Cusick:

Mr. Cohen: No papers Mr. President.

MR. HERTZBERG PRESENTED.

No. 1347 Resolution providing for a contract or contracts or the use of existing contracts for the purchase of three (3) compact vehicles for the Bureau of Cable Communication, at a cost not to exceed Forty-two Thousand (\$42,000.00) Dollars, chargeable to and payable from Code Account CCTF, Index Code 250555, Community Communications Trust Fund, Department of General Services.

Also.

No. 1348 Resolution providing for a contract or contracts or the use of existing contracts for the purchase of energy/facility and vehicle fleet software,

training, maintenance and related equipment, at a cost not to exceed One Hundred Thousand (\$100,000.00) Dollars, chargeable to and payable from Code Account 1128, Index Code 112805 Miscellaneous Services, Department of General Services.

Also,

No. 1349 Resolution providing for the letting of a contract or contracts, or the use of existing contracts, for the purchase of a fork lift for the Department of General Services, at a cost not to exceed Twenty Thousand (\$20,000) Dollars, in accordance with the laws and ordinances governing the City of Pittsburgh, chargeable to and payable from Code Account 1134, Index Code 113407, Department of General Services.

Which were read and referred to the Committee on Lands, Buildings and Procurement.

The Chair:

Councilwoman McDonald
Committee on Housing, Economic
Development and Promotion.

Ms. McDonald:

No new papers Mr. President.

The Chair:

Committee on Engineering and Construction, Mr. Onorato or Mr. O'connor.

Mr. Onorato:

No new papers Mr. President.

MR. ONORATO PRESENTED:

No. 1350 Resolution directing the City administration to reaffirm its position that no new communities be incorporated into the ALCOSAN system until the current odor problem is eliminated.

--(SPONSORED BY MR. ONORATO)

Mr. Onorato:

Motion to suspend Rule 8 so that bill may be on the agenda tomorrow with the other Alcosan bill.

Mr. Ricciardi: Seconded the motion.

The Chair:

All in favor? Opposed? The motion passes.

Which was read and referred to the Committee on Finance and Budget.

Also.

No. 1351 Resolution providing for the designation as a Historic District under Section 513 of Chapter 1007 of the Code of Ordinances that certain section of the East Allegheny neighborhood known as the Deutschtown Historic District, in the twenty-third ward, City of Pittsburgh.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

Councilman Ricciardi committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

No new papers Mr. President.

MR. UDIN PRESENTED:

No. 1352 Resolution providing for the issuance of a \$948. 00 warrant in favor of Leslie Itskowitz in settlement of claim for sidewalk damage due to City tree roots, chargeable to and payable from Code Account 46, Judgments.

Also,

No. 1353 Resolution providing for the issuance of a \$14,903.17 warrant in favor of Waneeta Duvall and Marjorie Loving in settlement of claim for property damage as a result of City tree roots, chargeable to and payable from Code Account 46, Judgments.

Also.

No. 1354 Resolution providing for the issuance of a warrant in the sum of \$2,812.00 to Daniel C. McGrath, c/o Regis J. Schnippert, Esquire, Weiss Michalek, 4 West Manilla, Pittsburgh, PA 15220, in full and final settlement of the action filed at Court of Common Pleas AR 96-1428, from a water line break and/or leakage causing injuries and damages sustained to the real property of Daniel C. McGrath at or near 2736 Shelly Street, Pittsburgh, PA 15203 on March 1, 1994.

Also.

No. 1355 Communication from Barbara M. Parees, Director of Personnel & Civil Service Commission, requesting approval for John Turyan, Chair, Pittsburgh Private Industry Council, to travel to New Orleans, Louisiana, from December 6 through December 8, 1996 to attend the NAPIC Board of Directors Meeting. Mr. Turyan is not a city employee. Cost not to exceed \$1,559.00 payable from the JTPA-1 Trust Fund.

Which were read and referred to the Committee on Finance and Budget.

MR. FERLO PRESENTED:

No. 1356 Αn Ordinance Supplementing Amending and Pittsburgh Code Title Four, Public Places and Property, Article II, Communications, Chapter 427, Private Communications Systems, Section 427.01 License Requirement, Section 427.03 Definitions, Section 427.06 Length of License (b), Section 427.09 Powers and Duties of Superintendent Section (3),Compensation for License (a), (d), Section 427.15 (a), (i), (j), Section 427.16 Use of Conduits by City, Section 427.17 Transfers and Assignments (a), (b). (SPONSORED BY MR. FERLO)

Also,

No. 1357 An Ordinance Amending and Supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communications, Chapter 425, Cable Communications, by raising the franchise fee for Cable Communications Systems. -(SPONSORED BY MR. FERLO)

Which were read and referred to the Committee on Lands, Buildings & Procurement.

The Chair:

These two bills represent over a million dollars in revenue I am introducing them now based on the discussions we have been having in the budget proceedings of the last couple of weeks. I am not going to waive Rule 8, but I want to give Councilman Hertzberg an opportunity to review them. I thougt is was important to get them in now due to the fact we are going to be making budget amendments both on the revenue side and the like.

That concludes our presentations of papers, any matter to be brought before the body under unfinished business or reports of special committees.

Hearing none we will move to Reports on Committees.

REPORTS OF COMMITTEES

MR. UDIN PRESENTED:

NO. 1272 Resolution transferring the amount of \$450,000.00 from various Code Account within the Department of Public Works, to various Code Accounts within the Department of Public Works.

Also,

No. 1283 Resolution providing for the conveyance of real estate owned by the City of Pittsburgh and known as the Hill House Multi-Purpose Center to the Hill House Association, a non-profit corporation.

Also,

No. 1284 Resolution repealing various Resolutions for the years 1987 and 1994 in the Water Department.

Also,

No. 1285 Resolution repealing various Resolutions for the years 1986, 1990 and 1992 in the Mayor's Office.

Also,

No. 1286 Resolution repealing Resolution No. 238 approved March 2, 1987 entitled "Providing for a Contract or Contracts for the purchase of computer anti-static, anti-glare and anti-VLF radiation screens for the Department of City

Also,

No. 1287 Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to transfer its rights, title and interest, if any, to certain property in the City of Pittsburgh adjacent to Beltzhoover Elementary and Carrick High School respectively to the School District of Pittsburgh for land improvement

Also,

No. 1288 Resolution providing for the conveyance by the City of Pittsburgh of certain real property to the Public Parking Authority of Pittsburgh, transfer of \$2,600,000 to the Public Parking Authority of Pittsburgh and the acceptance of a

right of way by the City of Pittsburgh.

Also,

No. 1289 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

Also,

No. 1326 Resolution transferring the amount of \$33,000.00 from Code Account 1002 Salaries, City Clerk to Code Account 1003. City Clerk, Miscellaneous Code \$25,000. Account Salaries Regular employees City Council, 1,500 and Code Account 1001-3 Education and Training \$6,500.00.

The Chair:

You have heard the reading and title of the bills, is there any discussion? We had requested some information regarding Bill No. 1288 on the Parking Lot, I don't know if we got the appraisal information. Did anyone receive that information? Councilman O'Connor.

Mr. O'Connor:

I know I asked for a business plan and you asked for an appraisal, but I have not seen it.

The Chair:

In relation to the proposal on the parking lot purchase of the CSX property, I believe we did receive some information. I don't know how many colleagues have had the opportunity to review it. We did also ask for some information on the appraisal price. I don't know if we received that.

Mr. O'Connor:

I can't really support it today for a couple reasons but if you want to hold it for one week or recommit-

Ms. McDonald:

Excuse me President Ferlo, it is my understanding that a week really will hurt it, if there is hesitation among council members because we have not been given information that we did request before the final vote today. That's how they came up with the price, was there an exact appraisal. I do have the business plan. I received that not as a council member but as a board member. I don't really have a problem, I am very supportive of this whole proposal it's a win-win, it's going to make money, it's going to be good for private business as well as the city, but if there is hesitation I really don't have a problem with waiting a week. It's up to you.

The Chair:

Well we are going to move on it unless we have an entertainment of a motion to recommit.

Mr. Hertzberg:

I would like to have my comments brought forward from last week (see adendum.) I think on the appraisal issue there was an appraisal, not a formal one but an inhouse appraisal done by the URA by a appraisal on staff, they looked it over and were comfortable with his figure.

My recollection is that this does need to happen this year, but to my knowledge a week will not make any difference. I would be supportive of it at this stage, I think it is a win-win for us in the city with both the parking and even more so of obtaining this railroad right of way for a trail, which will be another great reason to be in the City of Pittsburgh so we can add a little bit to our recreation repertoire in the trail aspect.

The Chair:

Is there a motion to recommit this Bill, or not?

Mr. O'Connor:

One other question I have for the Director is, I understand there is RFP's going out to sell the existing parking lots. I am curious if we are getting out the that business why are we getting back in. I would think this would be a perfect time to have a public private partnership, where we kept the tracts for the bike way and bring in a parking person and buy that instead of putting the tax payers more in debt. These are some of the questions I would like to address.

The Chair:

Is there a motion to recommit Bill 1288?

Mr. O'Connor:

I will make a motion to recommit.

Mr. Cohen seconded.

The Chair:

Is there a discussion on this motion? All in favor to recommit? Opposed?

Bill 1288 is recommitted.

On the remaining bills under Committee on Finance and Budget is there any discussion?

Hearing none the bills are now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all opposed will vote "no": The clerk will call the roll.

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor

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Ayes 9 Noes none

The bill having received the legally required number of votes passed finally.

The Chair:

On the Bill 1288 I would respectfully ask for a legal opinion from the Solicitor on whether or not we are obligated upon purchasing property on having a formal appraisal, if we have to do that legally by City Code of Ordinance or State Statute. I would like a response to that.

The reason I am asking that is it is the first time in all my years on Council of not having a formal appraisal regarding the purchase of property. I would like a clarification on it.

Mr. Udin:

I would like to ask the Clerk if the Parking Authority provided to your office the appraisal information or the business plan that was requested.

The Chair:

There is a packet of information which I think is a summary of a business plan, unfortunately I don't have it in front of me and I don't know how many colleagues saw that.

Ms. Johnson-Wasler:

They were distributed on November 13.

The Chair:

I think one way or the other we need to move on this and I think next week we will be able to do that. I think we should resolve some of the outstanding questions. I thought we had a lot of good discussion on this bill last week. Especially as it relates to public parking policy when we talked about getting some of the lease holders out of Kaufmanns lot and into this site, in exchange trying to get more parking freed up for the retailers downtown. In any event we will have some more discussion tomorrow.

Committee On Planning, Zoning and Land Use, Councilman Onorato.

MR. ONORATO PRESENTED:

No. 1271 Resolution repealing various Resolutions for the years 1991 and 1993 in the Department of City Planning.

The Chair:

Any discussion on of Bill 1271?

Hearing none the bills are now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all opposed will vote "no": The clerk will call the roll.

Ayes:

Mr. Cohen

Mr. Onorato

Mr. Cusick Mr. Hertzberg Mr. Ricciardi

Mr. Hertzberg Ms. McDonald Mr. Udin

Mr. Ferlo

Mr. O'Connor

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Ayes 9 Noes none

The bill having received the legally required number of votes passed finally.

Committee on Public Works, Water and Environmental Services, Councilman Ricciardi.

MR. RICCIARDI PRESENTED:

No. 1212 Resolution vacating a portion ward of Weak Way from Crystal Way to its easterly side in the 14th Ward.

Also.

No. 1273 Resolution granting under Colteryahn Diary an encroachment to construct, maintain and use at its own cost and expense a storm sewer under a portion of sidewalk on Dellrose Street in the 29th Ward.

Also,

No. 1274 Resolution granting unto Mellon Bank an encroachment to construct, maintain and use at its own cost and expense a handicapped ramp on a portion of the sidewalk area at Fifth Avenue and Pride Street in the 3rd. Ward.

Also,

No. 1275 Resolution granting unto Kenneth and Deborah McGowan an encroachment to construct, maintain and use at its own cost and expense a fence on the portion of the right of way of Celina Place in the 28th Ward.

Also,

No. 1277 Resolution granting unto Ronald and Sue Corbett an encroachment to construct, maintain and use at its own cost and expense a porch, set of steps and canopy on the right of way off Wrights Way in the 17th Ward.

Also,

No. 1278 Resolution accepting the dedication of Mero Way West of Brighton Place as shown on the Pennsylvania Brighton Plan of Lots addition number 1 in the 25th Ward. For public highway purposes opening and naming the same, fixing the width and position of the road way and sidewalks, establishing grading, paving, curbing and sewering thereof.

Also,

No. 1279 Resolution accepting the dedication of Jacksonia Street, 50 feet wide of the northerly line of lot 3 in the Pennsylvania Brighton Plan of Lots in the 25th Ward. For public highway purposes opening and naming the same fixing the width and position of road way and sidewalks, establishing paving, grading, curbing and sewering thereof.

Also,

No. 1280 Resolution accepting the dedication of Mero Way East of Brighton Place as shown on the the Pennsylvania Brighton Plan of Lots addition number 1 in the 25th Ward. For public highway purposes opening and naming the same, fixing the width and position of the road way and sidewalks, establishing grading, paving, curbing and sewering thereof.

Also,

No. 1281 Resolution vacating a portion of Mero Way between Brighton Way and McGullough St. in the 25th Ward.

The Chair:

You have heard the reading and title of the bills is there any discussion. Councilman Ricciardi.

Mr. Ricciardi:

I need to recommit Bill 1277 an encroachment in District 3 for personal site visit, thank you.

Mr. Hertzberg

Second.

The Chair:

The motion has been moved and seconded. All in favor? Motion carries. On other matters did we resolve this matter of Weak Way and whether or not there is still a protest to the vacation. Originally when this bill was introduced there was a formal protest.

Mr. O'Connor:

I would like to make a motion to recommit Bill 1212. Is there a second.

Mr. Cohen:

Second.

The Chair:

All in favor? Opposed? Motion is approved.

Discussion on the remaining Bills? Hearing none the bills are now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all opposed will vote "no": The clerk will call the roll.

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor

Ayes 9 Noes none

The bill having received the legally required number of votes passed finally.

Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

COUNCILWOMAN McDONALD PRESENTED:

No. 1266 Resolution providing for an Agreement/s with

the Urban League for the provision of Housing Counseling Services at a cost not to exceed \$97,000.00

The Chair:

You have heard the reading and title of the bills is there any discussion.

Hearing none the bills are now ready for final action. All in favor of the passage of the bill will vote ave when their names are called; all opposed will vote "no": The clerk will call the roll.

Ayes:

Mr. Cohen Mr. Onorato Mr. Cusick Mr. Ricciardi Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Ferlo Mr. O'Connor

Ayes 9 Noes none

The bill having received the legally required number of votes passed finally.

Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

COUNCILMAN HERTZBERG PRESENTED:

No. 1264 Resolution repealing Resolution No. 180 approved March 15, 1994 entitled "Providing for the leasing from Robert Wagner, Owner, for a parcel of land and building located at 1555 Broadway Avenue, Pittsburgh. Pennsylvania, 15216, in the 19th Ward, for the purpose of establishing a Community Oriented Police mini station, for a term of one (1) year commencing upon the execution of the lease, but not later than March 31, 1994, at no rental cost to the City. The City will assume the cost of utilities, not to exceed Fifty dollars (\$50.00) a month."

The Chair:

You have heard the reading and title of the bills is there any discussion.

Hearing none the bills are now ready for final action. favor of the passage of the bill will vote aye when their names are called; all opposed will vote "no.: The clerk will call the roll.

Aves:

Mr. Cohen Mr. Onorato Mr. Cusick Mr. Ricciardi Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Ferlo Mr. O'Connor

Ayes 9 Noes none

The Chair:

The bill having received the legally required number of votes passed finally.

Committee on Parks, Recreation and Youth Policy, Councilman Joe Cusick.

COUNCILMAN CUSICK PRESENTED:

No. 1263 Resolution repealing various Resolutions for the years 1986, 1987, 1988, 1989, 1990, 1992 and 1993 in the Department of Parks and Recreation.

The Chair:

You have heard the reading and title of the bills is there any discussion.

Hearing none the bills are now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all opposed will vote "no.: The clerk will call the roll.

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	

Ayes 9 Noes none

The Chair:

The bill having received the legally required number of votes passed finally.

Committee on Public Safety Services, Councilman Cohen.

COUNCILMAN COHEN PRESENTED:

No. 1261 Resolution repealing Resolution No. 470 approved June 13, 1988 entitled "Providing for a contract or contracts or the use of existing contract or contracts to purchase foam concentrate to be used by the Fire Suppression Division, Bureau of Fire and providing for the payment thereof" at a cost not to exceed \$15,400.00 chargeable to and payable from the Department of Public Safety, Bureau of Fire, CA 1463, Supplies and Materials.

Also,

No. 1262 Resolution repealing various Resolutions for the years 1985, 1988, 1992 and 1993 in the Department of Public Safety.

The Chair:

You have heard the reading and title of the bills is there any discussion.

Hearing none the bills are now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all opposed will vote "no": The clerk will call the roll.

Ayes:

Mr. Cohen	Mr. Onorato
Mr. Cusick	Mr. Ricciardi
Mr. Hertzberg	Mr. Udin
Ms. McDonald	Mr. Ferlo
Mr. O'Connor	

Ayes 9 Noes none

The Chair:

The bill having received the legally required number of votes passed finally.

Committee on Engineering and Construction, Councilman O'Connor.

COUNCILMAN O'CONNOR PRESENTED:

No. 1313 Resolution providing for a Contract or Contracts, or use of existing Contracts. for Monument Restoration and Parklet Improvements at Polish Hill, and providing for the purchase of equipment and materials for said project; and providing for the payment of the cost thereof, not to exceed \$15,000.00.

The Chair:

You have heard the reading and title of the bills is there any discussion.

Hearing none the bills are now ready for final action. All in favor of the passage of the bill will vote aye when their names are called; all opposed will vote "no": The clerk will call the roll.

Ayes:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo

Mr. O'Connor

Ayes 9 Noes none

The Chair:

The bill having received the legally required number of votes passed finally.

The Chair:

That concludes our reports of committees under motions and resolutions. Any matter to be brought before the body, Councilman Udin.

Mr. Udin:

I just want to remind the public that the public hearing on the Civilian Police Review Board referendum question is scheduled for November 25, 1996 at 6:00 p.m.. Those who are interested in speaking should contact the City Clerk at 255-2138, and register to speak before the public hearing. Thank you.

The Chair:

Again, this Monday at 6:00 p.m. there is a public hearing on the issue of the ordinance that has been presented to put on next years primary election the amendment to the Home Rule Charter on the creation of a Civilian Review Board. The public hearing is beginning at 6:00 p.m. here in Council Chambers, it will be cable cast, but also if individuals want to speak in favor or opposition or have comments, please call the City Clerk at 255-2138.

That Monday is also the day of our Legislative meeting since we have a shorter week next week, thanks to Thanksgiving, so we will have our Legislative meeting on Monday and the public hearing at 6:00 p.m.. I just want to remind our colleagues and the public about our change in schedule next week.

Mr. Onorato:

As you know there was a lot of discussion last night at the School Board again, for a lot of different reasons, their proposed budget, they are going through the same problem we are. That is declining revenues and increased costs. They are trying to get their fiscal house in order. I think it was appropriate we had that proclamation today where we all recognize the importance of public funding for public education. But at the same time we can all disagree on where it gets spent and what should be a priority.

I think one of the things we have to do is to make sure that every public dollar that we spend and they spend is being spent in a proper way and efficiently. I know I was scheduled to speak last night, but when I was at one hundred and six, I wasn't about to sit there for six hours. I couldn't sit there for six hours because of conflicts in my schedule. What I do want to do and my concern as to what I read in the paper today, Mr. Suber made the comment about that performance audit we have been waiting for and that could cost money.

What I will be doing during our budget process, and I don't know if I will support it or not. But I am going to be putting in an amendment, I want everyone to know in advance so if they want to talk to me to add something that's fine, for \$100,000.00 unless we see we could do it cheaper to do a performance audit either through the Controllers Office or their office because I think that it is so critical to the city's financial base and tax base that the issue has to be answered.

I believe and what I am hearing from a lot of parents and teachers, who will not go public, is that even those proposed cuts you are hearing about, and there was one board member who voted against them, that they are really not going after where the problem is and that is the administrative level. I want to see what's out there, who is being paid, how many non teachers positions do exist. That information that has to be brought forward, if there is nothing to hide then there should be no one opposing a performance audit. I don't want the cost of a performance audit be the reason why we don't do it. I think if we can get the answers and we can keep the School Board from raising taxes, it is money well spent on our behalf. We can't withstand another property tax increase, at either side. So that amendment will be brought forward within the next five weeks to the budget.

I don't know where at this time where I will be taking the money from but I will be looking through the entire budget to have it properly funded. I will be talking to Mr. Bellisiaro to see if any of CDBG dollars could be used because of the.

district, if not I will go straight to the operating budget.

The Chair:

We will go down the line, Mr. Udin.

Mr. Udin.

On this question of the audit, I would just reiterate the position I have taken before. I don't have any problem at all with a performance as long as the people conducting the audit are qualified to conduct an audit of this kind of institution and the standards against they are measured are typical of educational institutions. A lot of the rhetoric that has come before this council and the public media often times discusses the expenditure of the Board without any kind of comparison as to what other school districts its comparable size spend for comparable positions etcetera, and it would have to be like against like. Given that kind of audit. I think even the Board would welcome it.

Mr. Onorato:

If I could just respond, that is a very good point, the reason I came up with \$100,000 dollars and say the Controllers Office, hopefully this could be a professional services contract, they will hire a profession CPA firm that actually does school board audits. I would like to have it removed from the political audit all together. Have an independent person come in do the audit and give the report to everybody. I think that

is the best way to do it. We have to remove it from politics, that's why maybe it will take us to fund it. I do think it should be a professional services contract.

Mr. Ricciardi:

When that proposal brought up by Councilman Onorato obviously I would entertain it and be willing to discuss it. I think an important issue is that we have to realize that the state has not, in my view, really has not lived up to the commitment of public education here in Pittsburgh and across the state. I followed very closely when the state put together a task force for funding public facilities, such as stadiums. I would think if they were able to step to the table and able to find resources to fund stadiums and sporting teams, if they would spend some of that energy on properly funding and coming up with some innovative ways to fund public education, those are priorities that need to be really restated for our elected officials on state level.

I really don't have an answer now but I would just wish that State Representatives and State Senators and the Ridge administration would spend half the time on funding public education properly that they did on the stadium issue. Thank you.

Ms. McDonald:

Councilman Ricciardi we have been on different sides of the line at times discussing education, but you get an Amen from me on that

one. The problem is deeper that just administration, from reading the paper this morning they are going to cut one third of their \$35,000,000.00 defect in administrative cuts, that 's a lot of money. Ten million dollars, I can't imagine what a ten million dollar cut in administration would do with the City of Pittsburgh. I think everyone would be taking to the streets and you know screaming for our blood.

The crux of the problem is that children seen to be on the bottom of the priority list, families are on the bottom of the priority list in government. That is the problem. There should never ever be a discussion about funding children's education. I don't even understand why there is even a debate at the state level. I told a lot of people who were marching yesterday, when they said are you going to be, I said no, no I was in that seat at one time. I am not going to march against them because I know where the problem is, your getting at the tail end of the problem. The problem is that at the state and federal governments are not adequately addressing children and education.

It is unheard of, and it was stated in the paper yesterday, I believe in an editorial, that we should even consider a referendum on kids education and on how it is funded through property taxes or what ever other creative means they can come up with. There should be a referendum on that and no referendum on a tax on gasoline for our roads. Roads are more important

than children. We gotta ask the tax payers, do you agree, there may be a problem but we are not going to ask them for their opinion on roads. So I agree Councilman Ricciardi there is something very wrong with what is going on at all levels of government in terms of education for our children.

I agree there needs to be an independent audit, I am not so sure Councilman Onorato that I want to spend City money, which aren't here, but there does need to be an independent audit. That was my concern when Councilman Ferlo had presented the legislation on an audit, I just wanted it to be a little more independent. That's it, no problems with an audit and accountability you will never have that problem with me.

What I would urge my colleagues here is in addition to an audit or whatever you want to do is that we need to convene some typeof summit with legislators, our senators to find out what is wrong in Harrisburg. Why is it that the school district is begging for money? You are going to have parents that are screaming for a tax increase just to fund education and at the same time we are talking we don't want a tax increase. I don't understand how this is going to be resolved before December when they have to vote in their budget. How is it going to be resolved by then.

I would urge us to have a meeting not only with the school board but with the legislators before it is too late. Your going to see a tax increase in response to parents who are concerned with all children, including grandparents who are property tax payers, who are also concerned about education. I just think before it becomes too late between a tax increase or doing a hatchet job on education, which I guess they don't have a choice but to do, that we need to try to resolve it before then.

Councilman Hertzberg:

I am going to need some convincing before I'm going to vote for a \$100,000 expenditure to do this audit. I mean we went through this approximately a year ago with our City Controller Tom Flaherty, who is also the school district controller by law. I don't know if he has taken the school district to court on that, whether he intends to, what all is happening with the resolution we passed directing him to perform that performance audit. I can't see spending \$100,000.00 out of our budget when that's what the City Controller is charged with doing and does on a daily basis, that's what he has a complete staff of, that's what they do here in the city, they are very competent qualified members of his staff that are CPA's and that's what they do.

Unless something has drastically changed I don't see why we should be spending the city's dollars on that.

Councilman Cohen:

I am convinced, I don't know if \$100,000.00 is necessary and I'm

sure Councilman Onorato will look into that, and I would be happy to help him. I am convinced that we have to do what ever we can do to help to resolve that problem over there. It's not just a school district problem, it is a city problem, a neighborhood problem and a problem with the children of Pittsburgh.

We voted for a performance well over a year ago, the schoold board has just adamently resisted that audit, for what ever reasons political or non political. The performance audit is the number one tool to determine whether taxpayers money is spent wisely or not and it's gotta be done. If it requires moeny from our side, which is the same city taxpayers money, then I am willing to vote for it as long as it is reasonable.

think Councilwoman McDonald made some very good points and obiviously we can learn from her experience on the school board. Had I been allowed to speak at the school baord last night, which I was not because it was such a long list and they did not give public officials the courtesey that we give public officials here, I would have said that I wanted to work with them. work with them to lobby Harrisburg and to fight the funding cuts that Governor Ridge has imposed on the City of Pittsburgh which are truly destructive funding cuts. absolutely agree with Councilwoman McDonald that that is where it starts, and that is where we ought to be headed. I think the School Board

and the City Council and the Mayor should all be working together on that.

On the other hand I don't like the way the school board has gone about implementing these cuts, they sent a memo to the high school and secondary principals saying that they have to cut their budget by approximately seven per cent, it was a little bit different to each school, and they gave them one week to do it, one week to determine what their budget cuts should be. With very little time to contact the PTO's the Teachers Council, etc. and some frankly were not in a position to be able to determine what the best budget cuts were.

At Allderdice which is the high school that serves the neighborhood of Councilman O'Connor and I represent and some others, they have to deal with a \$486,000.00 budget cut, the principal there has cuts the gifted program and teachers and counselors and it is going to have a devastating effect on Allderdice.

Schenley High School was there last night and they made some very strong arguments, so all the high school are having to suffer cuts in instruction, and that is the problem, I am not convinced that the school board has brought their administrative costs into line, which is what Councilman Onorato started this discussion with, brought their administrative cost into line before they start cutting instructional cost. Before you cut teachers and classes

convince us, convince the citizens of Pittsburgh that you have cut the bureaucracy and it's just not clear to me that they have.

You go to Allderdice it's just unbelievable, Councilman O'Connor and Councilman Onorato and I saw the office of one of the supervising principal, now what's a supervising principal, that person looks over the principal who looks over the students, has very little contact with students whatsoever, and Allderdice which is not air conditioned, they have the most beautiful conditioned office for one of the supervising principals with not one but two bathrooms. I can't imagine what this thing cost, it probably cost a half a million dollars, in the middle of a school whose own bathrooms aren't open right now because of cut backs in custodial services and because the public safety there isn't strong enough they have to worry about what is going on in the bathrooms. It's pathetic, it really is to be able to have this gleaming office there for the bureaucracy and not have the same kind of funding for the students. So I am not convinced that their administrative cost have been cut before they cut instructional cost.

I am going to support Councilman Onorato's amendment and lets get a performance audit done.

The Chair:

Councilman Cohen it is exactly those kind of expenditures

that you just outlined that caused me to introduce the legislation over a year ago requesting a performance audit be done. I very much Councilman sympathize with Onorato, but I am not going to support city tax dollars, expenditures, block grant dollars or city operating budget having to pay for something that from a fiduciary responsibility point of view the school board members themselves should make sure that a performance audit is done.

The City Controller is the elected School Controller also, I resent the fact that that board out refused there has steadfastly including legal challenges, attempted to block in any way his responsibility at the request of this council and that is to do a performance audit. This side bar issue that Councilman Udin has raised, I respectfully disagree with him, his debate about education and curriculum that is not the focus of the performance audit that I was talking about and this council supported. It's to look at facilities management. an procurement, and hiring and how they pay their light bill and a hundred odd different things.

The Controller has established a good track record in doing audits and raising significant recommendations on how to do things differently and how to cut costs and that's the kind of performance audit that should be this council should appropriate any money, whether it be our operating budget, block grant or tax dollars. As far a I am concerned the people

on the school board level, there are elections next year and they should be held politically accountable for not doing a proper performance audit.

There is nothing to disagree with about what the real problem is fundamentally and the fact that state government continues its decade long policy of ignoring both its legislative and moral obligation to provide fifty per cent funding for school districts across the state.

Ricciardi Mr and. Councilwoman McDonald are right on target on that point and I think anything we can do to create a summit meeting or to lobby and join with them, I'll be the first one to be there at the meeting or on the picket line, whatever we need to do to go to Harrisburg to make that happen. Obviously the fundamental issue of tax reform we can no longer just continue to fund a school system based solely on the backs of property tax. I think there needs to be other mix of taxes to look at. The school board is very limited in their power to raise money either under earned income or property. Its inherent nature very regressive and it causes the kind of problems we are seeing hear.

So one, they need to support the Controller and allow him to do his performance audit, two, anything we can do with them to get full done and it should be done by the Controller. I don't believe that funding based on state obligations, I think we need to do that. On a tactful level I disagree with my colleague.

Mr. Cusick:

I just want to agree with all members. I think Councilman Cohen hit it on the nose last night when he talked about some sixty odd administrators within the bureaucracy of the school district. A vast majority of them not even living in the City limits, that's the cuts we should be making. I just wanted to go on record as saying I too would be willing to work with the school board helping to determine where these cuts should take place.

Mr. Onorato:

I look forward to debate. If you recall the \$100,000.00 that I recommended I said it could go through the Controller's Office, I have no problem with using the Controller's Office. It is his legal obligation through the state code, however the school board has been dragging their feet and actually insulting the Controller's Office by not responding to his request. I thought we might be able to let the Controller use an independent auditor so they can't accuse the Controller of anything, which I think is an excuse not to give him any information.

When I was there on the tour with Councilman Cohen and O'Connor's and I saw the Supervisory Principals office, the number they gave us that night Councilman Cohen that I recall, was \$200,000 to \$250,000 for renovations of two class rooms for one persons office. The insult is to

put air condition in that one room when the entire building does not have it. That is an insult, and how dare you say you want us to go with you to Harrisburg to lobby for more money if that is how vou are spending it. I won't do it, I will go to Harrisburg after a performance audit, after they make all necessary cuts that wont affect education, the non teachers salaries. Then we will go and ask for more money, right now I think Harrisburg is wising up and they don't trust Philadelphia and Pittsburgh because we have the highest per capita student payment, and if that is wrong then do a performance audit to prove me wrong.

The results are so bad that they are saying we are not throwing more money because it is not School Board has to working. realize we are holding a line on taxes for obvious reasons, they have to do it. The only reason I am willing to spend \$100,000 of our money is because the result of a real estate tax increase or wage tax increase far out way a \$100,000 to our budget. It will have such an impact, probably millions for the number of people that will leave this city and continue to leave because of that increase. I am willing to gamble to put \$100,000 on the line to p[reserve our tax basis, that is peanuts in a \$312 million budget. But it goes a long way in stopping a tax increase.

What I heard at Taylor Allderdice that night, when I said they were slick, they were setting up the whole argument of why we needed a tax increase. They lead the people on that the state did this. Representative Ron Cowell who stood up there and ripped the state for how they gutted the state funding and how Pittsburgh is the only district being decreased. Never once asked the question, why aren't you doing a performance audit, never once said how are you spending the money. I'll support Representative Cowell, but he has to show he also wants to know how it is being spent.

That means we have to sit down with Mr. Al Fondy and the Teachers Union, they have to understand we are not Mt. Lebanon. we are not Upper St. Clair, our tax base is not growing like theirs are. Don't compare me with those districts, we don't have that kind of a base to increase every year. might not want to hear that but that's the questions that have to be asked. All I am saying is if you do the performance audit, that will give the frame work to go to Harrisburg and find out why we are not being funded and ask for more money. We can't go up there and everyone's is afraid to ask how are you spending the money, that's the point I want to make.

I just want to say this too, the reason I say they use the state funding argument as a crutch and as an excuse is because we see every year at our budget our real estate tax revenues are going down because of reassessment we are losing. The Wage Tax is stagnate and the other main taxes we have are stagnate at best, nothing is going up. We could

easily sit here and tell the public, look at the reassessments we are loosing every battle, our real estate went down to \$109,000,000 this year it used to be \$115,000,000 a few years ago, so we have to raise your millage. We are not doing that we are not using the decrease as an excuse, they are.

I applaud them for coming up with the so called \$10,000,000, but I am telling you the way they framed this at Taylor Allderdice was to set it up that the only option was a tax increase. That is not the only option and it would be a disaster, and I know we can somehow resolve the performance audit issue before our budget is passed so they don't drag their feet any more.

The Chair:

Thank you, I would ask that our Clerk communicate to the Controller and get a formal written update of the resolution we passed and what exactly is the status regarding this issue of a performance audit.

Councilman O'Connor:

Briefly on the same subject, I was there last night, we marched, I was pleased to see all the students and parents involved. Probably one of the more positive things, it was my first march by the way I never marched in anything. I am a graduate of Allderdice and some of the high lights of last night were Mr. Suber admitting to possibly they were open to an audit and I think that

is a big step in the right direction. I believe as Mr. Hertzberg said our Controller is capable and he is actually paid for that and he is willing to do it, so I would certainly hope they would jump into that right away.

We may want to commend them for making their \$10,000,000 cuts, again I can go on and on. I saw what they did at Allderdice they took a couple class rooms, that I was in when I was kid, and now they are luxury offices with private bath rooms, they removed the playground over night to build four or five parking spaces in a place that doesn't need places.

So it is easy to throw rocks at them but again on the other hand I was impressed by so many teachers and students there saying--- and one teacher who had children in Allderdice said if I had kids again they would go to Schenley, I never thought I would ever hear that because you know ten or fifteen years ago Schenely was not one of the more highly regarded schools.

I think our Pittsburgh public schools have come a long way, we are asking them to do the big cuts that they are not used to making, and I am not saying they shouldn't. I know next year they will have a new Director or head of administration, elections are coming up, people are screaming for neighborhood schools all over this city. Busing is still an issue, middle school is an issue, but there are a lot of good things there. I don't think Harrisburg is the answer, it is probably part of the answer, but

we should contact Mr. Suber and if he is serious about the audit it certainly is an excellent time to have a joint effort, our city council and their board to try to move this forward.

The thing I am concerned about, if they cut any of these programs, especially some of the gifted programs of the highest tax base we have in the fourteenth ward people will either leave the city or go to private schools. The private schools in the 14th and 15th wards that I represent have waiting lines now and that shouldn't be. It's okay if you want to go for certain religious reasons but if they are bailing out---yesterdays paper was alarming that the guards want bullet proof vest, I mean whoever is running these schools there is a lot that can be changes.

I hope the new administration puts their foot down that we don't, we shouldn't have to require that we take the bad element and do something with them whether it be the special schools they have, that have proved to work.

The biggest attended group there was from the Letche, children who had problems but are very happy now in school. They were probably the biggest represented and these are probably some of the toughest kids and situations where their home life isn't what it should be, but they were there trying to keep that school, showing thepositive things that came out of that school. So it goes for the higher education or

the kids that need the extra help. Again, when you talk about roads and ball parks I hope we gear in on our kids and don't let them down. It's just the first step in another excuse for people to leave our city.

The Chair:

The Controller sent up a message that thev apparently proceeded with last year performance audit, independent of the fact that the board was not They are releasing cooperating. some audit a week from Wednesday. That is news to me, I didn't know that, I don't know if Councilman Hertzberg new that or not.

Mr. Onorato:

I did, the Controller mentioned that at Taylor Allderdice, but you know I used to be an auditor, and you try to audit somebody who is not cooperating it is very hard. I want some one who is going to open the books and allow you to look at it.

The Chair:

Independently regarding the resolution you may introduce regarding a expenditure, I would ask that we have a meeting with the Controller once this information comes out.

Mr. Onorato:

I agree, I just want to add one comment because we are referring to just the Taylor Allderdice meeting, I want to make it very clear that this is a city wide issue because I know Perry High School was well represented last night, they were the second largest cut behind Taylor Allderdice. When it comes to cutting the principals tell them what high schools to cut where, you already heard about Letche and there are others. This is definitely a district wide problem we are dealing with, of how they are trying to deal with the It wasn't just Taylor budget. Allderdice but wide spread.

The Chair:

I am living in front of a school trailer right now in the playground that probably cost about \$100,000.00 to put in and it's only going to be in there for one small school term.

Mr. Cusick:

On a new subject Mr. President, at 3:00 p.m. today the Planning Commission will hear testimony on a piece of legislation I introduced some three or four weeks ago regarding parking pads. I would encourage people from all over the city to please go down and testify, whether or not parking has been a problem for you. In most of our neighborhoods parking has always been a problem. I think it is the topography of the South Hills that really was the driving force behind sponsoring such legislation's.

I am sure in a lot of the other districts there are similar problems, I would just hope that whether for or against you would go down and testify, to help us prepare a proper piece of legislation that would fit Pittsburgh.

I want people to have the ability after working hard, and we all know that Pittsburghers are hard workers, have the ability to drive home and not have to drive two blocks and have to walk to get home. I have had a lot of problems, Pioneer just recently, I was so happy to see that Pioneer was going to be reconstructed, but at the same time with the happiness it was almost like nightmare on Pioneer because of the parking situation with some of the illegal pads that now exist. I'm sure that most of you have read the stories that have been done on Bellaire Place and the unfortunate situation that a lot of the residents that live there have been under.

I think this is a city wide issue and am sure that you agree with that Mr. President and a lot of your communities have some of the same problems that I am having. We basically have streets that were designed for the horse and buggy and we need to recognize some of the problems and at the same time we want to aesthetically keep the beauty of our neighborhoods. That is important to me also, that should be important to all of us.

This isn't just about creating a bunch of concrete pads to allow people to park vehicles, this is about keeping the aesthetics, giving the people the opportunity to utilize their property and the ability to park their vehicle. It is also a public safety issue at the same time, some of our streets you can only park on one side, unfortunately we allow them to park on both sides, try to get a fire truck or ambulance down that street it becomes very difficult. So it is a public safety issue too.

I do want to see parking, but I also want to keep public safety in mind, and the beauty of Pittsburgh and the beauty of our neighborhoods. I would encourage all council at 3:00 today testimony will be given at the Planning Commission, if you have some thoughts or ideas on this legislation I would hope that you would attend that, or at some point when it gets back to this body that the appropriate amendments would be made.

The Chair:

Just briefly I will close out with my own comments. I do want to thank the Mayor for his kind and gracious comments expressed to the newspaper this morning about me, but those comments not withstanding, it's nice to attack somebody on a personal level and a good way to take peoples attention off the issue.

I just want to recap and make clear from the beginning, although the newspapers have not reported the issue fundamentally.

The administration themselves, the Mayor submitted a budget that did not fully fund on the operating budget the Department of Emergency Medical Services in the

City of Pittsburgh. It is clear from the testimony at the hearing from the Directors and various meetings that have taken place that there is some notion in the future about some kind of public, private corporation, authority, it's unclear what the heck it is.

I am asking the Mayor to take the pledge, I am asking him to make sure the operating budget is fully funded so we can sustain the Emergency Medical Services independently of whether or not we get three million, one million or ten million from hospitals or any one else, which I am all for. I am all for them contributing, they should be contributing, but until he takes that pledge because he did not express that in his own budget that he sent to council. he shortchanged the paramedics by three million dollars and it is my goal to make sure that this council before the final adoption of this budget reaffirms full funding for EMS and reaffirms that we want this service, the Emergency Medical Service to continue now and into the future as a public service part of the public safety provision of services that we provide.

Until that happens I will continue to be an advocate on this issue and I will continue with my effort to explain this to the public, in fact I have a meeting tomorrow night at Sunny Side School at 7:00 p.m. regarding this whole issue.

Any other comments or discussion? Hearing none I'll entertain a motion to adjourn.

Mr. Cohen:

So moved.

The Chair:

Thank you all, I want to remind my colleagues that we will meet again Monday November 25 at 2:00 p.m.. This Legislation Session stands adjourned.

Council adjourned

ADDENDUM

 Councilman Onorato comments -for Bill 1288 can be found in the Standings Committee Meeting of November 13, 1996.

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER....City Clerk
JOHN R. MASCIO......Deputy City
Clerk

Pittsburgh, PA Tuesday, November 25, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Udin
Mr. Hertzberg Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Good afternoon everyone. We have a lot of honored guests in the audience today including many of the men and women of our own police bureau. We want to move quickly to the proclamations.

At this time, would you all please rise for the pledge of allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased this afternoon to have two grade school students, Amy Jo Ellwood and Tia Gaston. Amy is 9 years old and she's in the forth grade. Her parents are Mr. and Mrs. Ellwood who I believe are in the audience. Tia Gaston is 9 years old. She's also in the forth grade. Her mom is here, Carla Gaston. They're also accompanied by our Principal, Laverne Anthony, from Beltzhoover Grade School. They are from Councilman Ricciardi's district and they're going to lead us in the Pledge of Allegiance.

Amy Jo. Ellwood & Tia Gaston

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Amy and Tia. Our City Clerk would like to present you both with a flag of our great Nation and the flag of our City. Thank you and your school for being represented here this morning.

We have a lot of guests in the audience this morning. I would ask at this time, I have a number of proclamations, I would like to ask Betty Telman to please come forward. I'm not sure if Mr. Adams

is here for this proclamation or not, but it's for our good friend Byrd Brown.

There's an important banquet this weekend honoring a great Pittsburgher. I would like to present on behalf on all my colleagues the following proclamation.

Members of Council, I'd like to move the following resolution.

No. 1366 WHEREAS, Mr. Byrd R. Brown was born on July 26, 1929, in Pittsburgh, Pennsylvania to Judge Homer S. Brown and Wilhelmina Byrd Brown; and,

WHEREAS, Mr. Brown went on to graduate from Schenley High School, Yale University and Yale University Law School before serving in the United States Army from 1954 to 1956; and,

WHEREAS, Mr. Brown had the distinguished honor and privilege to serve as the President of the Pittsburgh Branch of the NAACP for twelve consecutive years from 1958 to 1970; and,

WHEREAS, during this twelve year period, Mr. Byrd Brown in his leadership role was responsible for a myriad of positive changes, which impacted the lives of people from all racial, social and economic backgrounds in the City of Pittsburgh; and,

WHEREAS, Mr. Brown's active participation in the early civil rights movement in the City of Pittsburgh included leading demonstrations against the Pittsburgh Board of Education to desegregate schools and to initiate a compensatory hiring program for African

American teachers and administrators; and,

WHEREAS, throughout his life, Mr. Brown has continually fought to breakdown racial and gender barriers in employment practices, education and all aspects of everyday life and had the honor of mounting a formidable candidacy for both United States Congress and Mayor of the City of Pittsburgh; and,

WHEREAS, on Saturday, November 30, 1996, Attorney Byrd R. Brown is being honored at the NAACP Unity Ball to be held at the Rivers Club in Oxford Centre.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare, Saturday, November 30, 1996, as "Mr. Byrd R. Brown/Civil Rights Day" in the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby commend Mr. Byrd R. Brown for his outstanding contributions as a distinguished attorney, activist, educator and humanitarian.

MR. HERTZBERG moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

I think the proclamation is selfexplanatory. I think many of us have had the privilege and, more importantly, the great honor of being friends and coworkers with Byrd throughout the years. That's a great honor that Byrd is once again being honored. The proclamation made it sound like everything is past tensed. We have many more years and many more decades of activism out of Byrd. We applaud his initiative. He's a Pittsburgher. great а truly great Pittsburghers. It's just appropriate that the NAACP is paying him due honored. At this time, I'd like to call Betty Tilman and she has other guests here. Harvey's no stranger to these Chambers. Betty would you like to say a few words and bring us up to date on banquet.

Ms. Tilman:

Well, the banquet is exciting and it's a racially inclusive banquet, it's a ball, black-tie ball. We thought this would be appropriate to honor Byrd at that time.

I just want to say a couple of other things about Byrd that many people don't know. He's also a mentor. There are a number of young lawyers, who are no longer young now, who came out of his office who are in very key positions within, not only in Pittsburgh, but within the United States. There's a very prominent civil rights lawyer who is down in Mississippi. There's a federal magistrate who is here in the City of Pittsburgh. There's a judge who is in the State of Pennsylvania who really started as a Secretary in Byrd's office and she is a judge. So, not only has he fought for civil rights, he's also a mentor. He's mentored many people and that's one of the greatest things that I like about him. He continues to do that and he continues to fight in a quite way now. We're very happy that we're able to honor him and we invite you to join us. Thank you.

Mr. Udin:

First of all, Byrd is a very close and dear friend of mine and hundreds of others in this town and all over the country. If it hadn't been for Byrd Brown, I would probably still be on a Mississippi chain gang. And, if this were a different City, Byrd Brown would probably be the Mayor of the City. I want to just take this opportunity to one, add to Ms. Tilman's invitation for people to join us at this unity ball in honor of Byrd and to publicly thank Byrd Brown for, literary, dedicating his entire life to the struggle of the betterment of Pittsburghers and human beings. Thank you.

The Chair:

Thank you. Councilwoman McDonald, excuse me.

Ms. McDonald:

Ms. Tilman, I just want to, while you are up there -- because you're going to be up there again for some other, yeah she has two resolutions.

I just want to commend the Committee for what they have done. This is the first unity ball and I look forward to being there and, again, you're doing great work and it's about time someone honors and gives due to an individual such as Byrd R. Brown and also proceeds will go to the NAACP. That is important to know. Thank you.

The Chair:

I'd like Sheila Titus and Jim Genco to come forward for the Lawrenceville Blockwatch Network, first. Then, I'm going to invite our other representatives up for the second proclamation, Jim and Sheila.

Actually, I don't think they knew I was going to give them out separately.

Members of Council, I'd like to present the following resolution.

THE CHAIR PRESENTS:

No. 1367 WHEREAS, on Wednesday, July 31, 1996, the Lawrenceville Blockwatch Network organized and hosted the First Annual Police Drive-Thru Luncheon to show neighborhood support for the city of Pittsburgh Police Department; and.

WHEREAS, the luncheon was held on Denny Street, in Lawrenceville from 11:00 a.m. to 6:00 p.m.; and,

WHEREAS, during those hours, Lawrenceville Blockwatch Network, under the guidance of Sheila Titus, President and Jim Genco. Vice President and Coordinator of the luncheon, was able to serve over one hundred lunches to Police Officers at the Denny Street site while sending almost one hundred more lunches back to various police stations throughout the city; and.

WHEREAS, when the Lawrenceville Blockwatch Network asked for support from the community for this event, they were overwhelmed with donations of time and supplies; and,

WHEREAS, based on the success of this year's luncheon, the Lawrenceville Blockwatch Network is planning to expand the luncheon next year to show support for the entire Public Safety Department of the City of Pittsburgh with luncheon sites being coordinated by other blockwatch organizations throughout the city; and,

NOW, THEREFORE, BE RESOLVED that the Council of the City of Pittsburgh does hereby commend and thank the sponsors of the First Annual Police Drive-Thru Luncheon for their contributions: generous Lawrenceville Blockwatch Network, the Church Brew Works, Jim and Sany Genco, Deaktor-Sysco Foods, Constable Bob Sinicki, St. Francis Health Systems, Roth Carpet Company, State Representative Don Walko and family, Mayor Tom Murphy, Bloomfield Crossroads, Guttman Oil Company, Lawrenceville Development Corp., Lawrenceville Business Assoc., Exercise Warehouse, Merlot Tarpaulin & Sidekit Manufacturing Company, Allegheny Valley Bank, Fraternal Order of Police - Ft. Pitt Lodge #1, State Senator Leonard Bodack, Union Orthotics & Prosthetics Company, Arsenal & Old Lace, Fritz and Theresa, Jean and Sonny Podgorski, Quinlan family, Northeastern Uniforms, Sarney's District Magistrate Eugene Zielmanski, Community Savings Bank, Bloomfield Foodland, 6th Ward Democratic Committee, Lawrenceville Giant Eagle, 6th Ward Club, Bloomfield Bridge Tavern, Polish Hill Little League Assoc., Bloomfield Youth Athletic Assoc.., City Councilman Dan Cohen, Arsenal Lanes, J.K.'s Place, PNC -Lawrenceville, My Mechanic, Heinz USA,

Perman Canvas, Myron Wagner Company, Kay's Drug Company, Becky Gibbs, Ann Shariff, Mrs. Emilia Crowley, Lisa Vitovich, Susan Pfiehl, Jackie Yorkovich, Upstairs Saloon, Darleen & Bill Hanlon, Grace Boncuk, Venice's Pizza, Bloomers Maica Products Boutique, Gene Zaborowski, Dotty Altenbaugh family, Cindy Levy and family, Grady and family, Ed and Julie Podgorski, Goldie and family, Bzdziak and family, Meineke Discount Mufflers, Janice Genco Cleaning Company, Bill Hanlon Air Conditioning and Electric, Caroline Genco, Frankie's, Hambones, Morton DeBroff Law Office, Mr. and Mrs. Schultz, Shelly Peak, Jim Genco III, Ed Wiggins, Alicia Langenfeld, Antonio Genco, Denise Tammaro, Ad Graphics Inc., Casey family, Wise Foods, and Giant Eagle - McIntyre Square.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby applaud the efforts of the Lawrenceville Blockwatch Network for sponsoring and coordinating the First Annual Police Drive-Thru Luncheon and Council would like to recognize Jim Genco and Sheila Titus for their individual contributions to building a better relationship between the Lawrenceville community and the City of Pittsburgh Police Department.

MR. UDIN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which was prevailed.

The Chair:

Sheila Titus is no stranger here to Council Chambers. As you know, many of you, from her activities in the Lawrenceville Community and her copartner here, Jim Genco. They're both officers of a blockwatch group that's been active for the last five years in the Lawrenceville Community. It maybe even longer than that, I think it's about eight years. At this time, I'm going to let Sheila say a few words and, then, Jim Genco.

Ms. Titus:

I just want to thank everybody for helping us with that. A lot of the people said that they'd be glad to do it next year. So, I hope that it comes out to be a really good success next year, too. Thank you.

Mr. Genco:

Well, I'm honored to be here today. This is my biggest award I've ever received for all my years of doing volunteer work. I was happy to do it. We're already starting preparations for next year. Like Jim said, we're going to include the Fire Department and the Paramedics. I'd like to thank the residents of Denny Street for all their help and any inconvenience we caused them. They we're happy and we were happy. Thank you.

The Chair:

Thank you.

Mr. Cusick:

First of all, I want to congratulate both of you because the deed doesn't go unnoticed. The community in Overbrook does such a thing and has a picnic every year and they invite all the officers from the zone and firemen and paramedics alike. It's something that's catching on and rightly so.

I think congratulations are also in order here. Sheila, if I'm correct, you're one of the graduates from the Police Academy and I don't know if Jim was. I think that it's nice to see a lot of blockwatch people getting involved in such thing. Again, you're one of our Pittsburgh favorite police citizens.

The Chair:

Thank you. I'm going to ask them to stay here because our next proclamation, Councilman Cohen if you would join me.

We'd like to ask all the graduating class members from the Police Academy to come forward please at this time. Also, our police representatives that are here, Detective Coleman. Again, I hope we can ask that all of our colleagues join in cosponsoring this proclamation. As you can see from these community representatives, they represent neighborhoods throughout all of our respective council districts and we're very proud of the work that they've Certainly, I want to thank the leadership. Jim Genco, you're welcome to stay up here even though you're not part of the graduating class, you did it another way. We, especially, want to thank Jim. They did a lot of hard work for that police luncheon that they did right on Denny's Street. It looks like it may take whole citywide and be spread out to the other neighborhoods.

On behalf of Councilman Cohen who's our chair of Public Safety and on

behalf of all of our colleagues who work very hard with our blockwatch committees in everyone of our neighborhoods throughout the City of Pittsburgh, I'd like to read the following proclamation and ask Councilman Cohen to say a few words and our Police Commander and Detective Coleman that are here also.

These are in alphabetical order. These are certificates here with the respective name of the honoree and the official council proclamation, too. With your permission.

No. 1368 WHEREAS, on September 4, 1996, the Pittsburgh Bureau of Police under the direction of the Chief of Police Robert McNeilly, Jr., Commander Diane DePalma and Detective Ophelia Coleman opened the first session of the City of Pittsburgh Police Citizen's Academy; and,

WHEREAS, the Academy consists of a twelve week curriculum that gives Pittsburgh residents the opportunity to better understand the rudiments of police procedures, while also participating in the investigation of a crime scene and experiencing a traffic stop; and,

WHEREAS, the goal of the Academy is to provide the residents of Pittsburgh with an overview of the training received and functions performed by the City of Pittsburgh Police Officers; and,

WHEREAS, this program, also, serves as a vehicle to communicate useful information to residents regarding how to live safely in our current urban environment and how residents can take action in conjunction with local

government to protect their neighborhoods; and,

WHEREAS, the inaugural class of the Citizen's Police Academy graduated on Wednesday, November 20, 1996, after completing the twelve week training program that demonstrated the rigors involved with being a Police Officer in the City of Pittsburgh.

NOW, THEREFORE, BE IΤ RESOLVED that the Council of the City of Pittsburgh does hereby recognize and applaud each graduate of the inaugural class of the City of Pittsburgh Police Citizen's Academy: Weldom Ayers, John Banovatz, Harold Cobbs, Geri Coffey, Lauretta Comans, Andrew Dlinn, Robert Easton. Cecelia Gavran. Lorenda Goodnight, William Hambrick, Dorothy Hooks. Tillie Janicki, Donna Kramer, Linda Kushner, Cecilia McNeilly, Robert McNeilly, Sr., Aggie Patchan, Arnold Perry. Rebecca Perry, Theodore Pinsker, James Pastorius, Thomas Posey, Tom Ouinn, Gale Scott, Ahmad Shareef, Mariann Stefanik, Sheila Titus, Marie Williams. Delores Wilson and Clifford Zigler.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby commend the officers and individuals whose efforts were instrumental in making the Citizen's Police Academy an important and successful learning experience.

MR. ONORATO moved to adopt the resolution.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Thank you very much. We have a number of these proclamations and they're in alphabetical order. I know about half of the people here. Somehow, I know as we pass these along, you'll take your proclamation out of here accordingly. I do want to introduce Councilman Cohen.

I want to put this in perspective. I want to really thank Detective Coleman who's here who really first came forward with this leadership proposal. Also, I want to thank and I think we should applaud Councilwoman Valerie McDonald in particular because it was also at here leadership and urging with her council As well, she's been so resolution. adamant and so consistent about the need for additional not only police training, but additional interaction between residents so they'd better understand and appreciate the activities and the responsibilities and the burdens of the police officer at the rank and file level. So, I want to, specifically, thank Councilwoman McDonald for leadership in really plugging away and being supportive of Detective Coleman and this whole initiative also. I hope she'll share with us some of her concerns also.

At this time, I'd like to ask Councilman Cohen to say a few words. Then, we'll introduce Detective Coleman and our Commander.

Mr. Coleman:

Thank you Council President Ferlo. We here about a lot of programs that come before us. Valerie McDonald brought this one before us with Cookie Coleman then often we don't here about them again. Some of the things that we vote for, frankly, don't succeed. program has just been phenomenally I want to congratulate, in successful. particular, listen up Cookie because I'm going to congratulate you, I want to congratulate you for bringing this forward and for getting people involved and for making this such a tremendous program that it is. Also, Commander Diane DePalma who's being represented here today by Lt. Dale and also, of course, Chief McNeilly and for all of you who are the inaugural class because you really are pioneers. You're pioneers in an attempt to improve relations between the citizens and the police and to learn more about each other. I have just heard such, I'm sure all of you have, I've heard such tremendous responses from this program. Andy Dlinn, who is heading up our citizen's patrol for the Squirrel Hill Urban Coalition in Squirrel Hill came up to me just the other day and told me what a terrific program it is and how much he learned about what police activity is really like. You know what, I think it works the other way I think the police have around, too. learned a lot about the citizens who's so interested in law enforcement.

I just want to congratulate you and I hope that this kickoff graduating class will lead to more and more successes in the future. Congratulations.

Ms.

On behalf of the Citizen's Police Academy, I do thank you all for given us this award. Valerie, last year this time, when I was in front of City Council, when I was summoned to City Council by you to discuss the Citizen's Police Academy, I knew then just as I know now that it was a win, win situation for us. I knew that we had no where else to go. I know that the Citizen's Police Academy is not a panacea nor is it an end all, but I know that it's a foundation, it's a start. I also hope to see that not only it be implemented but also institutionalized where other generations will be able to benefit from it. Thank you.

The Chair:

Lieutenant and also if one of the graduating members would like to say something on behalf of your classmates.

Ms.

On behalf of the training academy and Commander DePalma, I just would like to say thank you. A few years ago I remember being told that a program like this would not work. Perhaps the times dictated that now was a good time to do it. This was a very unique class in a lot of ways. It was lot of work, but the work was also a lot of fun. I think we've all learned a lot from the experience and we have many more people to reach. A lot more work needs to be done and we're looking forward to the challenge. Again, I thank you and I thank the class.

Mr. Neilly:

I want to thank everybody who's responsible for the police academy. When we received applications to go, we were interested and we had a desire to do it. We certainly learned a lot. I want to thank you on behalf of this class because this class was one of the best group of people that I have ever worked with or been associated with. I want to thank you all. I want to say thank you to the class in front of City Council. Thank you very much for your cooperation.

The Chair:

Thank you. Again, there is no pride of authorship. This proclamation is being offered by every Councilmember here together. We spent a lot of time, hopefully, in our neighborhoods with our blockwatch committees and we're here really to applaud all of you not only for your time in the twelve weeks that you went through the course, but more importantly we know each and every day you're active in your neighborhoods and we would like to applaud you. Thank you. Councilwoman McDonald.

Ms. McDonald:

I want to thank President Ferlo for sponsoring this resolution on behalf of all of Council. It is good to be able to congratulate something that has been good. This was not my idea. Cookie Coleman in collaboration with the YWCA, it was that idea that had been around for awhile --

Ms. Adams:

Twenty-five years.

Ms. McDonald:

How long?

Ms. Adams:

Twenty-five years. It started with the first president Harvey Adams, Jr.

Ms. McDonald:

In case they didn't hear you, Harvey Adams from the Guardians and, now, Cookie Coleman who chairs the Guardians as well as the YWCA that this idea has been a collaborative proposal for twenty-five years. I think it's high time that it be done.

I just have to say to the class, congratulations. Again, as I was there Wednesday, I said now, you all are the little ambassadors and you have to go out. You're trained and now you have to go out and develop good police community relations even amongst your neighbors. You have no ideas how important you are right now out in the neighborhood. We need people who know what is going on, what is procedure, what is not procedure, and what police have to do and now police know what residents are thinking, their fears, and their concerns and why they react as they do. You all are very important. I'm glad to see that the class is overbooked for January. I told my husband, I'm sorry Rick, I don't know. I don't know if I want to pull any clout here and get you in. I'm glad to see that there is a long list, 90 strong, waiting to get trained. There's only one thing that really discouraged me, it just ticked me off. Someone had said that this whole initiative was nothing but a feel good, cushy, fluffy kind of thing and now what. I'm thinking, how negative can you be. something good and people want to tear it down and criticize it. This may not be as Cookie Coleman said a panacea, but it is something. It is something more than what we had before. I would tell all the critics, quit tearing down, quit throwing rocks, that's easy. Instead of having rocks in your pants, give me some tools so we can build this community up. Again, you all are just the initiators of what I perceive is a building up of a community in terms of police and resident relations. Again, congratulations for 12 weeks. I know it was fun because I sat in on a couple of classes.

The Chair:

Councilman Onorato.

Mr. Onorato:

I just want to congratulate the entire class for all the time you put in. I know about half of you out there. Cookie I don't know if I should complement you or scream at you because some of the ones that you've trained on the North Side, they already give these criminals a hard time. I feel sorry for those criminals now because one thing I can tell at the last citywide Public Safety Meeting, they rejuvenated and ready to go out of this academy. I've been working with them for five years, and if they're ready to go again, I feel sorry for the people that are out of line on the North Side. I will add to the ones that I know and the ones that I don't know, I sure you're the same way, if the City could clone your type of personality in every neighborhood over and over again, we wouldn't have any problems in this City because you're doing all of this volunteering because you care about your neighborhoods. No one's

given you anything and you're putting in time and night. I see you at those meetings. I want to tell you, I thank God that you're there. You make my job a little easier so that I have the system to tap into in every neighborhood where the block watches are strong. Finally, Cookie. I remember you talked to me a couple of months ago about this idea. This last year has been pretty tough for all of us here with a lot of tough issues that we debated. This particular class was sort of overshadowed in the media. I'm glad that you stuck with it because it appears that at the end of all this, you're the one shiny example we can all point to that the City is moving forward. I want to thank you for sticking it out and everyone that was in the class. Thank you.

The Chair:

Thank you all. Again, colleagues thank you for your patience. Again, all of the Council joined in that proclamation. I was helping to facilitate getting people down here but each and every colleague has joined together to show appreciation for the good work of the CLP Training Academy and we applaud you for your voluntarism and your hard work out at the neighborhood level.

At this time, we have a number of honored guests in the audience. I would like to call on Councilwoman McDonald.

Ms. McDonald:

Would all guests representing Mary Lou Williams of the Historical Society of the Western Pennsylvania come forward.

This is Patricia Pumitchel. What is your title Pat?

Ms. Pumitchel:

Coordinator, African American program.

Ms. McDonald:

Where at?

Ms. Pumitchel:

Historical Society of Western Pennsylvania.

Ms. McDonald:

Okay, there we go. We also have Helen Floyd, Geraldine Garnet, her sister Margaret Burley and her son Ronald Garnet. I will read the resolution.

MS. MCDONALD PRESENTS:

No. 1369 WHEREAS, on Saturday, November 30,1996, a Pennsylvania state historical marker honoring Pittsburgh jazz pianist Mary Lou Williams will be unveiled at Lincoln Elementary School by the Historical Society of Western Pennsylvania; and,

WHEREAS, Mary Lou Williams was born on Mary 8, 1910, and spent her childhood in Pittsburgh. She began playing the piano at the age of 3 and by age 12 she was occasionally playing with some of Pittsburgh's union bands; and,

WHEREAS, in 1929, Mary Lou Williams moved to Oklahoma City and joined the Andy Kirk Band as pianist in

1931. "The Lady Who Swings the Band," as she was called, remained with the Andy Kirk until 1941; and,

WHEREAS, on request, Mary Lou Williams arranged music for jazz greats Benny Goodman, Louis Armstrong, Cab Calloway, Tommy Dorsey, Glen Gray, Gus Arnheim and fellow Pittsburgher Earl "Fatha" Hines. She also formed her own band and, eventually, joined the Duke Ellington band for a period of time; and,

WHEREAS, throughout the 60's and 70's Mary Lou Williams performed at jazz festivals around the country and made appearances on college campuses performing concerts and conducting lectures at the Smithsonian Institute and the Whitney Museum. She initiated and produced the Pittsburgh Jazz Festival in 1964 which is now approaching its 32nd year; highlighting jazz artists throughout the country.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the Historical Society of Western Pennsylvania for its work to educate the community and we join the Society in honoring Mary Lou Williams for her tremendous contributions to the world of jazz.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares Saturday, November 30, 1996, as "Mary Lou Williams Day" in the City of Pittsburgh.

MR. ONORATO moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Ms. McDonald:

I want to present this to Pat Pumitchel and I would like to have her make some remarks as well as any one of you all. Geraldine, you're going to do it.

Ms.

Historical marker installations in City of Pittsburgh are not an uncommon thing especially within the past three years. It's been an initiative on the part of the African American program of the Historical Society to do that, to honor all of the wonderful contributions that have been made by African Americans in our region. It is fitting and it is appropriate that we honor Mary Lou Williams. I'm very happy to have the support of her family. Certainly, it's going to be a wonderful event on Saturday at 11:00 a.m. The entire community of Pittsburgh is invited. The ceremony will be held at Lincoln Elementary School which is located at 328 Lincoln Avenue. We'd just be happy to have you out.

I'd like to present this, again, to the family of Mary Lou Williams. Thank you.

Ms.

Thank you. I would really like to thank Patricia Pumitchel, the Councilmembers and anyone else who is responsible for my late sister and our late sister family members.

Mary Lou, a twin brother and I shared the same birthday which is May

8th. Of course, both of them are gone now. My twin brother and also my sister Mary, but we're very happy to have this opportunity to receive this award in Mary's behalf. It's made all of us very proud to have this done for her. Of course, we don't know who's going to have this gift of being able to do something. By Mary being a pianist and that was her God given gift, it was something that she followed through with and, today, is being recognized for it. It really makes me feel very happy and I have my sister and my son, Ronald, and my niece, Helen, whom Mary staved with when she was here in Pittsburgh so I'm sure she'll say a few words too. Thank you.

Ms.

Good afternoon. I want to thank the Council and everyone that is here and especially the Historical Society. As a member of the family, we were so proud when they contacted us as to where we wanted it. I think I'm the one that held out for Lincoln School and that was the reason that is.

She used to play the piano for the kids. In those days, you had to march in and march out and that was one of her duties. I thought that was the best place because that's where they knew her. Also, Mrs. Milhallen was the Principal and Mrs. Itzel was an art teacher who took her under her wing. She was the one who used to take her to Fox Chapel and everywhere to play at parties when she was in Lincoln. So, that was our selection for Lincoln School. Thank you.

Ms.

The unveiling of the marker will be held this Saturday, November 30th at 11:00 a.m. at Lincoln Elementary School. It's at the corner of Lincoln Avenue and Frankstown Avenue in the Lincoln/Homewood part of the City of Pittsburgh. Thank you.

Ms. McDonald:

I would like to call all the guests up of LINKtAFRIC and Betty Tilman. I want to make sure I get the names pronounced correctly. This is a resolution for Africa Awareness.

MS. MCDONALD PRESENTS:

No. 1370 WHEREAS, the month of November, 1996 marks the beginning of LINKtAFRIC's program of Africa Awareness Year; and,

WHEREAS, LINKtAFRIC was founded by Dr. Olu Sangodeyi, a prominent surgeon in Allegheny County. Formed with the goal of linking Africans and those of African descent on a global scale. LINKtAFRIC began with 20 individuals and 11 family groups of African birth and heritage. In July 1996, the non-secular, non-partisan, and non-militant international organization received its non-profit status; and,

WHEREAS, LINKtAFRIC was worked to promote and preserve African and African-American culture and history. It has promoted educational excellence in the community and offered practical help to its members. Through all its efforts, LINKtAFRIC has helped establish a positive identify for African peoples; and,

WHEREAS, LINKtAFRIC's goals for Africa Awareness Year are to broaden awareness of the motherland, to erase some of the misconceptions we have about Africa, and to build more pride in African Heritage; and,

WHEREAS, some of the many activities for Africa Awareness Year include a trip to South Africa, an Afro-Centric marketplace for the holidays, hosting African dance troupes, and holding an African ball; and,

WHEREAS, the initiative of LINKtAFRIC towards an Africa Awareness Year exemplifies its effort to establish a sense of history and identify to educate the City of Pittsburgh.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends LINKtAFRIC for its outstanding work on behalf of the African-American community and we declare November as the beginning of Africa Awareness Year.

MR. UDIN moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Ms. McDonald:

Betty, I'm just glad that you gave us the information, you send us a lot of information on LINKtAFRIC. I had the pleasure, I don't know if it was this year or last year, time escapes me sometimes, in which I was privy to be able to attend one of those meetings and to speak and find out who are all of these people in this

It was new to me. I was so impressed. We had more professionals in that group. Some that are definitely from Africa. Some that were born African-Americans and it was an excellent dialogue. It was so positive. I just wish many more people would become aware of this particular group because it's just about dialogue and it's about moving an entire people. When I pick up the paper so many times and I see about all of the political strife, the violence and turmoil that besets some African nations within Africa, it grieves me because there are so many -it's just like here, we always get the negative news, we never get the positive news. There is so much positive news and there's so much opportunity for the United States, in particularly, African Americans here in the United States to link economically to help build ourselves in order to move forward. So, there's a lot of opportunity to link to Africa. So, the name is appropriate. Betty, it's an honor to be able to present this to you.

Also, we have two guests. I'm going to try because I feel proud that I'm able to pronounce it. We have Tete O'Gary and Freda

Betty:

We have an example of LINKtAFRIC standing right here. very sorry that Dr. Sangodeyi is not here today. He's the founder of the group. He is a surgeon and he's in surgery today. However, we do have here two examples Twenty years ago Tete of linkages. O'Gary came here to go to school. did her undergraduate studies and did her graduate studies. She went home, married before she went home, had a baby and came back and now her baby is in the University. I have known her all of that time. A little more than 20 years ago, Freda married a person from Nigeria, her late husband, went to Nigeria and, now, has come back. Here are two examples, our Vice President and our Secretary, of linkages to a part of Africa. Not only do we have interaction between Africans and people of African heritage, that's people from the Caribbean, people from Latin America and we African Americans as well, but we also are very interested and we do things with children. We're a family oriented group. However, we reach out into the community. We have a financial, a youth stock broker's group. These are youth between the ages of 14 and 16 and we teach them about the stock market, we have stock brokers in our group. Then, we will take them to Wall Street. We also teach them the history of our black Wall Street which began in Oklahoma.

The other thing that we do is that we noticed that most American children have difficulty with languages. We also know that in the year of 2000, the Hispanic group of people will be the majority minority so that we all Americans must learn to speak Spanish. So, we are strengthening the Spanish that the children are learning in school and we are developing pen pals with them in Spanish speaking countries.

The other thing that we're doing is the Frank-a-phone. The children who are learning French. Again, there seems to be great difficulty because we don't -although we're on the borders of Mexico, we don't seem to realize that there are people who speak Spanish there. We want

everybody to speak English. We're also on the borders of Canada and Montreal where people speak French. We want people to learn and strengthen, young people especially, to strengthen their abilities. So, we have a number of young people who are helping our young people. children between, again, the ages of 13 and 15, to strengthen their abilities. We're doing this in a very unique way. We're doing it through music because I'm a musician and we use the Afro-American Music Institute. We have people who are native speakers. In addition to learning French for those children who are speaking French, they also learn about their heritage because they're learning from people from Frank-o-phone countries in Africa. So, we do a lot of things within the community. We do it very quietly right now. We're going to do some things as far as inviting the total community.

In the summer, we'll have a big picnic. In the summer, we're also going to South Africa because we're interested in -we live here in Pittsburgh and we're interested in how we can strengthen our economic links. We invite you to join us and you'll be hearing more. I have some information for the Council. It could be a short trip or it could be a long trip, so you have a choice about that so that there are opportunities. As I said, we're interested in the economics. We want to bring some of the economy and improve the economy here in Pittsburgh. We can do that through international exchange. Those are just some of the things that we're doing. We thank you, all of you on the Council and, especially, Mrs. McDonald for really recognizing us and given us opportunity. You'll hear more about us.

The Chair:

Councilman Udin.

Mr. Udin:

Yes, I just want to extend my congratulations also, again, to Ms. Tilman but also to Tete. I've known her since she first came to the country. She's a very shy person but she's very dedicated and determined and strong and has always been dedicated to keeping the linkages between Africa and African-Americans alive. I just want to add my congratulations and thank you for all your work.

The Chair:

Thank you and I believe Councilwoman McDonald has one to be read into the record.

MS. MCDONALD PRESENTS:

No. 1371 WHEREAS, on Sunday, November 24, 1996, the Pentecostal Temple Church of God is hosting a retirement dinner celebration for Dr. Loran E. Mann, who is retiring after more than 20 years as a Newscaster for WPXI Channel 11 News, T.V.; and,

WHEREAS, Pastor Mann was educated at the University of Pittsburgh and Pittsburgh Theological Seminary, and began his ministry in 1969 with the founding of Pentecostal Temple. Since its nineteen-member beginning, Pentecostal Temple has become a congregation of several hundred families. In January 1991, a newly constructed sanctuary was dedicated; and,

WHEREAS, a respected broadcast journalist by profession, Pastor Mann's weekly radio program, "Sunday With Christ," is acclaimed as one of the toprated broadcasts reaching multitudes of people in the Tri-State area. In 1992, Pastor Mann led Pentecostal Temple into ownership in the broadcast industry with the purchase of WGBN-AM 1150, which is the only radio station in the Pittsburgh area offering gospel music programming on a full-time basis. WGBN has been honored by the broadcasting industry for its rapid growth in listenership; and,

WHEREAS, Pastor Mann's ministry is enhanced by his anointed, talented wife. Barbara, who is an integral part of the life of Pentecostal Temple. A graduate of Hiram College, she spearheads much of the teaching ministry of the church. A singer, musician, and dynamic vessel of honor, Mrs. Mann has offered significant contributions. Rev. and Mrs. Mann are the parents of two children, Tiana and Loran II.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the Pentecostal Temple Church of God in Christ for its growth and outreach into the community and we congratulate Dr. Loran E. Mann on a long and prosperous career.

MR. HERTZBERG moved to adopt the resolution.

MR. ONORATO seconded the motion

Which motion prevailed.

The Chair:

Councilman O'Connor, you have a number of guests in the audience who have been waiting patiently.

Mr. O'Connor:

Will the representatives of the Holocaust Center please come up and the students and your parents?

I want to welcome everyone to Council. We're fortunate to have Linda. I know I've missed some -- Todd, do you want to put your display up here and then you can explain it or talk about it?

Starting next week, the Holocaust Annual Arts and Writing Competition will be displayed in City Council. I'll have Todd speak on this display. I was overwhelmed because this is not just a neighborhood issue it's a regional issue. We have students here from Central Catholic, Canon McMillian; Baldwin, Schneley, Lasheba; and Hilwell, I don't know if we missed any schools. I know we have contestants from St. Beads and quite a few schools. I was very impressed with the turnout with so many young people participating. I'd like to read the resolution and, then, turn it over to Linda.

MR. O'CONNOR PRESENTS:

No. 1372 WHEREAS, the community of Pittsburgh has many individuals who work diligently to preserve the integrity of all people, through understanding and a dedication to education and to recognize in particular the importance of remembrance and teaching of the Holocaust; and,

WHEREAS, in their wisdom deemed it necessary and beneficial to all to establish the Holocaust Center of the United Jewish Federation of Greater Pittsburgh in 1980 for the education, commemoration and documentation of the Holocaust, so that we may remember the past and preserve the future; and,

WHEREAS, the Holocaust Center hopes to bring the messages of the Holocaust to everyone throughout the Western Pennsylvania, and especially students, in the hope that the lessons learned from studying the Holocaust will enhance relationships between all people; and,

WHEREAS, in order to further this mission, the Holocaust Center sponsors annually the Arts & Writing Competition for area students grades 8 through 12 and this year's theme being "Injustice to Justice: From the Nuremberg Laws to the Nuremberg Trials", such that thorough artwork, poetry, short stories and research papers, students were able to explore the injustice of the Nazi racial laws passed in the 1930's in Germany, stripping its Jewish citizens of their rights to participate in society and the study of the proceedings of the Nuremberg Trial which established guidelines for the perpetration of crimes against humanity.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the tremendous efforts of the Holocaust Center of the United Jewish Federation of Greater Pittsburgh and all of the students who participated in the 1996 Arts and Writing Competition to learn about the

examine the Nuremberg Laws and the Nuremberg Trials.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare the week of December 2 - December 13 as "Nuremberg Laws and Trials Remembrance Days", in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

Mr. O'Connor:

As I said, we have numerous students. I'll turn the program over to Linda Horis, the Director of the Holocaust Center to explain everything that's been going on this month.

Ms. Horis:

Thank you very much Council for recognizing the work of the Holocaust Center, United Jewish Federation of Pittsburgh. I want to thank you very much for sharing with the Council our basic goals and objectives of the Holocaust center, to educate everyone in the Greater Pittsburgh area, so that not only the history is learned, but that the lessons of the Holocaust should show all of us that we must protect the rights of all citizens in a democracy.

I want to also thank Hal Kay and Diane Waldman and Frank J. Snyder who underwriter our Arts and Writing Competition and give us the funds to publish each year the samples of the creative writing, research writing and art work that our students have done. We have about 2,000 students that come to our seminar which is underwritten by the Earl Sirlaw family from all over Pittsburgh. As you said, the participation is far and wide and it is private, parochial and public schools. The students who come to the seminar encouraged then. participate in an annual competition. We had about 500 participants this year. I'd like to have the sampling of the students who came down, introduce themselves and what school they're from. I thank you very much and hope that you'll continue your support of our activities.

Ms. Wolf:

My name is Marion Wolf and I go to Schenley High School.

Ms. Dayak:

My name is Kristin Dayak and I'm from Canon McMillian High School. This is a sample of my art work that I did for my project.

Mr. Vu:

My name is Michael Vu and I go to Baldwin High School. I wrote a poem about the Nuremberg Trial.

Mr. Staniland:

My name is Paul Staniland and I go to Central Catholic High School in Oakland. I did a research paper on Nuremberg Laws and Trials.

Ms.

My name is ____ and I from Yeshiva Schools. I wrote a creative poem on Nuremberg Trials.

Ms.

My name is _____ and I'm from Yeshiva Schools. I wrote a creative poem about the Nuremberg Trials.

Ms. Chester:

My name is Susan Chester and I'm from Yeshiva Schools. I wrote a poem on the Nuremberg Laws and Trials.

Mr. Bell:

My name is Todd Bell and I'm from Canon McMillian High School. I chose the Gallos because I saw that when these guys were going to be hung that they became cowards when they were about to die and Jewish people die braverially. Thanks.

Ms. Hurwitz:

I thank all the teachers and the parents for their support of their students work. In conclusion, I would like to introduce Jack Sittsamer and Marga Randall who represent our local survivors organization who just want to thank the students also

Mr. Sittsamer:

As a survivor of the Holocaust, I speak at various schools in the area. It's gratifying to see the students and how they responded to my speaker and I hope they, in the future, can teach their children

because the Holocaust survive 15 or 20 more years from now, they'll be no more survivors, no more eyewitnesses and they'll be our leaders. Thank you.

Ms. Randall:

My name is Marga Randall, I'm a Holocaust survivor of Hitler's Germany. congratulations to you all for responding perhaps to what you've read or perhaps to our words as evewitnesses. To the Council, again, my thanks on behalf of many people for recognizing the work that we do. Fortunately, the fact that we are here as survivors to go to the schools and to teach the children about what we went through is important. The very fact that these young people have absorbed perhaps what they've read or perhaps what they've heard from us will be a part of their life. If they see man's inhumanity to man happen again, that they will be cognizant of what they learned many years ago perhaps from a survivor. I wish you that and all the other young people that we encounter as we lecture into programs in this City and all of the country. It's a matter all over the world. It's with a lot of heart that I'm very grateful to be here and wish you all well. Thank you.

The Chair:

Thank you. Councilman Cohen.

Mr. Cohen:

I want to congratulate the students who thought seriously about this issue. We would love to see your poetry and your other work. I also want to thank the survivors who are here. In particularly, to thank Linda Hurwitz and the Holocaust

Center for all the terrific work that you do. I think sometimes people think that the Holocaust was a distant point in history. We all know that it's not, it happened only 50-55 years ago, in this very century. We're learning about it every day. Just last week, the entire world learned that, in fact, the British intercepted German communications which said that they knew that Jews were being mascicured as early as 1941, that was just last week. This is an education process that continues to expand and grow. I think that you've all learned a lot and I certainly have. It's about being part of your community. Not just working to advance justice but working to oppose injustice. I thank you all very much for all of your hard work.

The Chair:

Thank you very much.

Mr. O'Connor:

Again, thank you all. All your artwork and your writings are on display in this book and they'll be in the lobby next week. Everyone's welcome to see them and come down to the City Hall. Again, congratulations everyone and thank you for coming in.

The Chair:

Thank you. I want to add my voice a little bit and that I to really pay tribute United Jewish Federation and the Holocaust Center and really thank the young people who participated in this initiative. I'm a subscriber and an active contributor to the Southern Poverty Law Center and if you read their information, it's just very startling and very alarming at

what is happening across this country. There's a very clear conscious if not growing element, I refer to it as a historical revisionist and that is those individuals who are out there propagating at the notion that somehow maybe this didn't happen or didn't happen in this severity.

For many of us in this room, we think that that is just horrible and just incomprehensible. The fact of the matter is that there are many elements in this society that are viciously working night and day to propagate this myth. I think it's only because of the new Holocaust Museum, affects of various organizations and, certainly, the good work that you've done among our young people here today. I think we must remain constantly vigilant on this front and all of these initiatives aimed at trying to educate and getting young people involved are extremely critical during this period that we're living in. It's just very depressing and very upsetting and it's certainly a small minority of very backward and racist elements that are out there across this country. But, the past is prolog and we must remain vigilant. I just want to add my voice and thank the UJF Holocaust Center. Thank you.

Some may not be aware that Ms. Motto who is a distinguished ______ is also active as a young attorney in the Nuremberg Trials represented.

Councilman Cohen do you have one to be read into the record or have we covered you?

I believe that covers all of our various proclamations. Thank you

everybody for your patience today. We had some important people in the audience that we wanted to pay tribute to.

At this time, I'll move to Presentations of Papers beginning with Councilman Cohen, Committee on Public Safety Services.

PRESENTATIONS

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you Mr. Cohen. Mr. Cohen for Mr. Cusick, Committee on Parks Recreation and Youth Policy.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you. Councilman Hertzberg, Committee on Lands, Buildings and Procurements.

Mr. Hertzberg:

No papers, Mr. President.

The Chair:

Mr. Hertzberg for Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman Hertzberg.

MR. HERTZBERG FOR MS. MCDONALD PRESENTED:

No. 1373 Resolution Authorizing the City of Pittsburgh to submit grant applications to, and execute relevant agreements with, the Pennsylvania Department of Conservation and National Resources under the provisions of the Keystone Recreation, Park and Conservation Fund, and the Symms National Recreational Trails Program.

Also,

Resolution amending No. 1374 Resolution No. 149, effective March 8, 1994, as amended by Resolution No. 277 effective May 3, 1994, by Resolution No. 949 of 1995 and by Resolution No. 819 effective November 1, 1996, entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program" by reprogramming funds in the Department of Engineering and Construction and the Department of Public Works.

Also,

No. 1375 Resolution amending Resolution No. 624, effective August 16, 1996, entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1996 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to transfer funds from the Department of Public Works to the Department of Engineering and Construction.

Also,

No. 1376 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Commonwealth of Pennsylvania for a grant in the amount of \$2,500,000.00 (Two Million Five-Hundred Thousand Dollars) in private funds for the Pittsburgh Technology Center Expansion-Technology Business Incubator Project.

Also,

No. 1377 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designation providing for the of \$2,500,000.00 Million Five-(Two Hundred Thousand Dollars) in private funds for the Pittsburgh Technology Center Expansion - Technology Business Incubator Project as the local share for a grant applied for in an application for funds filed with the Commonwealth of Pennsylvania.

Also,

No. 1378 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Commonwealth of Pennsylvania for a grant in the amount of \$1,000,000.00 (One Million Dollars) for the Pittsburgh Regional History Center Project.

Also,

No. 1379 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$1,000,000.00 (One Million Dollars) in private funds for the Pittsburgh Regional History Center Project as the local share for a grant applied for in an application for funds with the Commonwealth of Pennsylvania.

Also.

No. 1380 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Commonwealth of Pennsylvania for a grant in the amount of \$2,500,000.00 (Two Million Five Hundred Thousand Dollars) for the Pittsburgh Technology Center Expansion - LTV South Side Works Projects.

Also,

No. 1381 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$2,500,000.00 (Two Million Five-Hundred Thousand Dollars) in private

funds for the Pittsburgh Technology Center Expansion - LTV South Side Works Projects as the local share for a grant applied for in the local application for funds filed with the Commonwealth of Pennsylvania.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman Onorato for Mr. O'Connor, Committee on Engineering and Construction.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO FOR MR. O'CONNOR PRESENTED:

No. 1382 Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, for the Reconstruction of Fifth Avenue, Phase II from Smithfield Street to Liberty Avenue and for Construction Inspection Services for said project; and providing for the payment of the costs thereof, not to exceed \$8,000,000.00 (Eight Million Dollars), chargeable to and payable from CA 3-13-01-0372-96.

Which was read and referred to the Committee on Engineering and Construction.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

No papers, Mr. President.

The Chair:

Thank you Mr. Onorato. Councilman Udin for Mr. Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

MR. UDIN FOR MR. RICCIARDI PRESENTED:

No. 1383 Resolution granting unto Western Pennsylvania Hospital, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence and gate on a portion of the sidewalk area on Aloe Street, 8th Ward, Council District 8.

Also.

No. 1384 Resolution granting unto American Portable Telecom, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, an access road and gate on a portion of the right-of-way on

Rutledge Street, 20th Ward, Council District 2.

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1385 Ordinance amending the Pittsburgh Code, Title Two, fiscal, Article VII, Business Related Taxes, Chapters 245, Earned Income Tax and 247, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for the year of 1997.

Also,

No. 1386 Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax, Section 263.01, Levy and Rate on Lands and Buildings, by levying the real property for tax year 1997.

Also,

No. 1387 Ordinance amending the Pittsburgh Code, Title Two, Fiscal,

Article VII, Business Related Taxes, Chapter 247 Institution and Service Privilege Tax, Section 247.03 Computation of Tax by adding subsection (a)(1).

Also,

No. 1388 Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, Section 243.03, Computation of Tax by amending subsection (a)(1) to increase the levy of tax exemption for Business Privilege Tax.

Also,

No. 1389 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1997.

Also,

No. 1390 Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions.

Also,

No. 1391 Resolution approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program; and approving the 1997 through 2002 Capital Improvement Program by adjusting various line items in conformance with City Council's 1997 Capital Budget Amendments.

Also,

Resolution providing No. 1392 the transfer from Non-Departmental Code Account I, Interest on Bonds and Notes to Non-Departmental Code Account 55. Policemen's Relief and Pension Funds, \$582,061.00 (Five Hundred Eighty Two Thousand and Sixty One Dollars); and to Non-Departmental Code Account 56. Firemen's Relief and Pension Fund, \$490.081.00 (Four Hundred Thousand and Eighty One Dollars): and to Non-Departmental Code Account 58, Municipal Pension Fund - Old, \$365,046 (Three Hundred Sixty Five Thousand and Forty Six Dollars) for a total of \$1,437,188.00 (One Million Four Hundred Thirty Seven Thousand and One Hundred Eighty Eight Dollars).

Also,

No. 1393 Resolution authorizing the City of Pittsburgh to issue a quit claim deed for properties in the 20th Ward, 2551, 2557, 2563 & 2511 W. Carson Street, designated as Block 21K, Lots 49-54-58 & 21-P-267 to the Port Authority of Allegheny County for the combined sum of \$6,497.00 (Six Thousand Four Hundred Ninety Seven Dollars).

Also,

No. 1394 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of

Pittsburgh/City Source Associates Sideboard Program.

Also,

No. 1395 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Which were read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED:

No. 1396 Communication from Paul Hennigen, Director, Department of Finance, submitting a report of deposits and the market value of securities pledged as collateral by City Depositories as of August 30, 1996.

Also.

No. 1397 Petition received from the residents of the 8th Community Advisory Board District, 11th Ward, requesting the designation and establishment of a Community Advisory Board in said district.

Which were read, received and filed.

The Chair:

That concludes our Presentations under Unfinished Business or Reports of Special Committees. There are a number of tax bills presented today. Those are required under the charter and they will be the subject of a public hearing along with

any other matter that the public would like to address regarding the proposed 1997 Budget, whether it be the tax bills, issues involving the Community Development Block Grant, issues involving the Capital Program of the City, what's left of it, issues involving the Operating Budget. Whatever the issue is, the public is invited to speak to Council on Wednesday, December 4th at 2:00 p.m. here in City Council Chambers. If there's any issue that you feel that this Council should respond to relative to the various budgetary it's Wednesday. issues, December 4th at 2:00 p.m. That is the formal tax citizen participation hearing before City Council. If you want to speak and you register, you can call the City Clerk at 255-2138.

Any other matter under Reports of Special Committees? If not, moving to the Committee on Finance and the Budget, Councilman Udin.

REPORTS OF COMMITTEES

Mr. Udin:

No new papers, Mr. President.

The Chair:

Thank you. Now, do we need to recommit 1244, the two bond issues? Who has the bond issues? I thought they were under Finance.

Mr. Udin:

They should be, but I don't have them in front of me.

The Chair:

I don't know if we formally held the two bond issues which really should have happened at the Wednesday meeting. They're on the agenda today. They really should be recommitted until we know the interest rate and can finally adopt them. If the Clerk could please advise the Chair what are we doing with

Ms. Johnson-Wasler:

The Chair:

Okay. Is there a motion to recommit the two bond issues? We'll have a reading, excuse me.

MR. UDIN PRESENTS:

Bill No. 1398

Reports on Committee for Finance and the Budget for November 20, 1996 transmitting sundry resolutions to Council.

Which were read, received and filed.

Also, with an affirmative recommendation.

No. 1244 Resolution of the City Council of the City of Pittsburgh, Allegheny County, Pennsylvania (the "city) authorizing the incurring of non-electoral debt for the purpose of providing funds to be applied for, toward and in connection with funding a portion of the city's unfunded actuarial accrued pension liability through the issuance of taxable general obligation bonds, series B, of 1996 in the aggregate principal amount of

\$300,000,000.00 (Three Hundred Million Dollars).

Also,

No. 1245 Resolution of the City of Pittsburgh increasing the bonded indebtedness of the City of Pittsburgh in compliance with the local government unit debt act by the issuance of general obligation bonds in the aggregate principal amount of \$174,570,000.00 (One Hundred Seventy Four Million Five Hundred and Seventy Thousand Dollars) to provide funds to currently refund the city's outstanding general obligation bonds.

The Udin:

Mr. Chairman.

The Chair:

Councilman Udin.

Mr. Udin:

Yes. On these two bills, the appropriate action, I believe, right now, is to recommit until the bills go out, receive the bids and, then, are brought back to Council for a final vote.

The Chair:

Yes, and we will recess the next Legislative Meeting. Not necessarily this meeting, but the next meeting following those bills coming back to the Standing Committee, we'll recess the next Legislative Meeting. Presumably, there will be a final bid solicitation and they'll come back to the Wednesday meeting and, then, we'll meet immediately following

that in the Legislative format to give final adoption once all the information is filled in.

Mr. O'Connor seconded the motion.

The Chair:

The two bills are recommitted. Under the remaining bills.

With an affirmative recommendation.

No. 1246 Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Municipal Tax Collection Bureau, Inc. for the purpose of discovering undisclosed City Taxes, recommending accounts for City Audit and, at the discretion of the City collection delinquent taxes. Total costs not to exceed \$50,000 (Fifty Thousand Dollars).

Also,

No. 1309 Resolution providing for the issuance of a warrant in favor of Radio Shack in the amount of \$3,784.00 (Three Thousand Seven Hundred Eighty Four Dollars) in payment for the purchase of two smoke detectors for the Bureau of Fire, Department of Public Safety.

Also,

No. 1310 Resolution authorizing the transfer of \$675.00 (Six Hundred Seventy Five Dollars) from Code account 1421, Index Code 142109, Miscellaneous services to Code account 1421-1, Index Code 142117, Education and Training, Bureau of Emergency Medical Services, Department of Public Safety.

Also,

No. 1312 Resolution transferring the sum of \$20,000.00 (Twenty Thousand Dollars) from Code Account 1141, Index Code 114108, Salaries, Department of General Services, to Code Account 1126-1, Index Code 112615, Department of General Services.

Also,

No. 1321 Resolution providing for the issuance of a warrant in favor of Women's Center and Shelter in the amount of \$2,500.00 (Two Thousand Five Hundred Dollars) in payment for the Pittsburgh Magistrate's Court participation in Domestic Violence Awareness Month.

Also,

No. 1322 Resolution providing for the issuance of a warrant in the sum of \$15,000 (Fifteen Thousand Dollars) to Alexander Paul Colabove. c/o J. Jamiolkowski, Esquire, Egan & Jamiolkowski, Suite 650, Lawyers Building, 428 Forbes Avenue, Pittsburgh, Pennsylvania, 15219, in full and final settlement of the action filed at gd94-5436 alleging personal injuries sustained due to an automobile accident at the underpass on 11th Street in the City of Pittsburgh on or about November 28, 1992.

Also,

No. 1323 Resolution providing for the issuance of a \$1,500.00 (One Thousand Five Hundred Dollar) warrant in favor of Caroline Wright in settlement of claim for sidewalk damage as a result of City tree roots.

Also,

No. 1324 Resolution providing for the issuance of a \$945.00 (Nine Hundred Forty Five Dollars) warrant in favor of James Roppelt in settlement of claim for sidewalk damage as a result of City tree roots.

Also.

No. 1325 Resolution amending the City of Pittsburgh's Official Sewage Facilities Plan to incorporate the Allegheny County Sanitary Authority's Comprehensive Sewage Facilities Plan.

Also.

No. 1350 Resolution directing the City administration to reaffirm its position that no new communities be incorporated into the ALCOSAN system until the current odor problem is eliminated.

The Chair:

You've heard the reading and title of the bills, is there any discussion? Councilman Udin then Mr. Onorato.

Mr. Udin:

I'm not certain of the bill number, but the bill relative to the professional services contract to collect the city taxes is the bill that I wanted to speak on. Bill No. 1246.

There was considerable discussion as you may know among the staff within

the Department of Finance and between certain staff members, the director of Finance, Paul Hennigen, and myself as well as some conversation with Councilman O'Connor.

First of all, there are considerable opportunities, I believe, Mr. President, for the City to gleam more of the taxes from temporary events that go on in the City as well as delinquent unpaid Business Taxes that can only be collected if we are willing to make an investment in the Department of Finance that it will provide it with the personnel that is necessary and the equipment and technological support that is necessary to be able to collect the taxes. I think that if we were to make that investment, it would pay for itself many times over. But, the Department like all other Departments have been subject to layoffs and downsizing and the workload has been shifted onto people who otherwise would be collecting taxes and as a result, the City does not receive a substantial portion of taxes that it could collection. I think as we form these labor management problem solving teams that we're forming in each department, I think it's essential in the Finance Department that this team gets formed and solved because it means millions of dollars of taxes to be able to be collected if we're able to do that.

Relative to this particular bill, the staff has been very active within that department and I want to thank them for coming forward, both the union representatives and management representatives in the Department of Finance. They've been very active over the last few days trying to analyze the contract that would go out and also

determine how the staff would be involved with the contract once it is let.

I'm pleased to announce that as of morning, the staff, management representatives and the union representatives and the director were all in agreement that at this time it is necessary to put out this contract especially because there is a mechanism for the staff within the Department to sit on a management committee that will control which taxes will be collected by the City and which taxes would be collected by the company. As you know, if you recall from the bill, colleagues, if the tax collection company identifies and collects the taxes, they get upto a 25 percent return whereas if the City collects the taxes, then, the company only gets 16 percent of the taxes that they identified.

One of the benefits of this contract. the staff believe, is that it will educate the staff as to what tax collection methods are most effective in state of the art that can be used here in the City of Pittsburgh to collect those taxes on our own. To find out where we have to subscribe, to what databases to improve our own tax collection capability. Once we engage this contractor and are able to upgrade our own systems and find out the information, it's the intention of the Department not to continue the contract, but to be able to integrate the tax collection methods into the Department itself so that we can to it in-house, we would only have to contract with them for one year.

I think there's a tremendous opportunity for the City to realize additional taxes, how much is hard to say. We will have to make that investment, in

personnel and in equipment, in software and we're going to have to discontinue laying people off especially the people who's job it is to collect the taxes and to bring in more money. That's where it is right now and I'm prepared to support this Legislation, Mr. President.

The Chair:

On this Bill, any other discussion? Councilman Ricciardi.

Mr. Ricciardi:

Thank you. I will also be following the lead of our Finance Chair. I really appreciate and understand the process that took affect and supported, that is the Labor Management Team where management, employees and the collective bargaining unit sat down and they moved forward. Another reason I'm supporting this bill is because Director Hennigen did recognize the letter that was sent by several employees, held it up at our committee session and said that he was willing and will pursue the ideas of the employees. I think we should not take lightly that letter that was sent to us. A lot of times we receive correspondence and sometimes we set it aside and say well if someone doesn't sign it, what worth does it have? In this case, it was signed by several employees, I believe six. I believe Mr. Hennigen believed that they were correct in some of their statements and that he was also going to pursue some of their I think that's true cooperation where people working together.

As Councilman Udin has pointed out, I really believe that this bill will be

one of collecting more taxes here in the City of Pittsburgh. Thank you.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

One question for Mr. Udin. Is it clear that it's a one year contract now?

Mr. Udin:

That's my understanding.

Mr. O'Connor:

I thought it was longer and I'm not sure on that.

Mr. Udin:

I think that it may have options for additional extensions, but it's one year at a time

Mr. O'Connor:

That was one of the problems I had. I think it's nice for you to meet with the employees. I think that it was good that you moved it forward. I don't want to belabor and hold it any longer, but I still have concerns. Not just as much as this, but we're contracting out so many people to do our jobs and as Mr. Udin said, this mass layoffs and the layoffs in the wrong positions I think is hurting our City and the ability of our employees to do a better job.

I was going to ask for a hold but I believe since you met with them, you're

sure that it's going in the right direction. But, I would respectfully abstain because I'm still concerned that a lot more needs to be done and I think, hopefully, through these meetings you've set up we can move this Department forward because they are the tax collectors

Mr. Udin:

And, we have agreed to continue meeting.

Mr. O'Connor:

Thank you.

The Chair:

Any other discussion? I'm still not pleased with this bill. I've been through three Mayors and every one of them were going to build a better mouse trap when it comes to revenue collections in the Finance Department. In fact, on the previous Finance Director, Hallor, under the Masloff Administration, we greatly increased the size of the Finance Department both in the full-time and in the as needed column for revenue collection.

I'm still not confident -- we may raise some money as a result of this contract. It's not clear to me that we're going to make systemic changes in a better method of the collection of revenue and I'm not paying for large staff and then also either full-time or as needed and, then, also pay for a lot of consultant fees that may collect some revenue but there's a great lost opportunity costs of revenues that go to the consultant on its own instead of come back into the city conference. I'm going to respectfully vote no because I

don't feel that this gets us any further ahead. It may move us ahead in collecting some revenue, but I want to know why we can't know or don't know what the consultants know? Why is it always that some outside consultant is suppose to have a monopoly of knowledge as it relates to better methods of collection? Maybe what we should be funding is some kind a either performance audit or a job audit in the Bureau of Finance to better define what the job positions ought to be.

Secondly, the Administration laid off a number of individuals that raised five times their salary including one gentleman from my own community of Lawrenceville that was laid off who raised many times his annual salary in parking fees and other kinds of revenues.

Again, I think we're still not getting to the core of the problem of what the configuration of staffing should be in the Finance Department, what are the appropriate new and improved methods for revenue collections. Maybe this is a step in the right direction. I still that the problem is one of management and maybe not having everybody on the right base as it relates to revenue collection.

Again. I think it's kind of a stop gap measure. Maybe it's going to raise us some money but we're going to have to shell out an awful lot of money to some outside consultant when normally that money should be coming back to into the City Treasury.

So. I'm going to respectfully vote no on this bill.

Any other discussion on the other bills? Councilman Onorato.

Mr. Onorato:

Yes, on the bills relating to ALCOSAN. The Bill 1325 which is the first one sponsored by Mr. Ferlo which is the Act 537 plan, unamended.

First, I want to thank Councilman Cusick at last Thursday's ALCOSAN board. He led the motion to adopt the criteria that was in my resolution on I'm pleased to report that Council. ALCOSAN did approve it and that they are going out to double check any other I think Councilman money sources. Cusick told me that they're expecting a report back in January. The reason I bring that up is because I'm going to, if there's no objection from Mr. Ferlo who's the sponsor of the bill, ask that we take your bill Mr. Ferlo 1325 and recommit it so that tomorrow we can hold it until we get the report back in January and, then, vote on the plan either as is or as amended for the funding source.

The Chair:

I don't necessarily have an objection to recommit. I'm not please at what transpired from last week's meeting given the politics of the Mayor's race and all that's going on. My bill, basically, was facilitating the adoption by this host community, the City of Pittsburgh, in approving the Act 537 Plan which I read to believe based on the ALCOSAN document to be very strongly committed to four major capital upgrades as it relates to odor control. Also, it's very clearly stated that no new community would come into the ALCOSAN system until such time that those four programs were actually built and on-line. I think that was a clear reference in the document known as the Act 537 Plan. That's one of the issues in your bill, Councilman Onorato, Bill 1350.

The other major bill that you raised, to me, is one of a tactical issue regarding the leadership. Commissioners and the Mayor can assist the ALCOSAN Board and Leadership in approaching DEP or the Feds or anybody else as it relates to raising some revenue to do the capital project work from the Ridge Administration's capitals program or whatever the source might be, I think we should apply that in the system in anyway we can. I can understand the issue when the Administration says, we have to go on a bond issue for the pension fund because it's economically appropriate and we have good interest rates and all of that. But, at the same time, the blast in the ALCOSAN Board Leadership for not going out on the bond issue.

I may be wrong, but as far as I'm concerned, the politics and personality clash that exist right now on the bond issue, to me, comes down to one thing. It's either Miles Herrington, Mayor Murphy and his click group, Jim Rodey who wants a bond issue versus the Catarensic et. al., group and that's a shame because my vote in submission to this was a principle to say that we need to move ahead. There was a recognize that there's a major capital program needed by ALCOSAN. I have a lot of faith not only in my colleague, Mr. Cusick, but the other leadership board of ALCOSAN, the Director being staff driven along with Mr. Catarensic, I think they did a lot of work to revamp an earlier capital program that was, probably, twice as expensive. But, given the commitment that they've made, in particular, benefiting the North Side communities, around odor control and all the other work including the Saw Mill Run commitment which has been unresolved for a decade in a half, as far back as when our former colleague, former President Jack Wagner, now Senator Wagner, was led the charge along with the Overbrook Citizen's Council, the West End Elliott folks, the Saw Mill Run problem.

That Act 547 Plan is recommitted and reprioritized millions of dollars for odor control, Saw Mill Run and City special projects that benefit more the City as opposed to the other 85 communities that make up ALCOSAN. It was in that spirit that I submitted a resolution adopting 537.

I don't object at all to making an effort. The Administration and the Commission has to put their money where their mouth is. If they can help get some money from the Ridge Administration to help ALCOSAN, great. Then, obviously, ALCOSAN should go out on a lower bond issue and reduce their overall capital cost. I just don't like the politics of this right now. I think the Administration is putting a coin of phrase back to the Mayor on all sides and all issues regarding this issue of the rate increase. I think it's unfortunate. I trust the ALCOSAN Board is going to move ahead with the capital program that's long overdue. They're under the regarding federal and state regulations. It is a project plan that benefits disproportionately the City of Pittsburgh neighborhoods and it's fairly reasonable rates hikes over a 12 year period. Nobody want to pay for increased rates. But, clearly as I stated my ALCOSAN bill is a heck of lot lower than my TCI bill and a lot of frivolous bills that I have to pay. Sewage is basic. It's a major issue relating to future commercial and residential development in this City and the County. I just think we're doing a disservice by not moving ahead on this issue.

I won't object to the recommit if there's something that we can get clear about their commitment. But, I would presume if the ALCOSAN Board has any shot of getting some revenue from the state, then I say go for it and don't flow the bond or flow the bond relative to whatever those needs are. As far as what click group is controlling the bond issue, it's a plaque on both their houses as far as I'm concerned. I don't really want to get involved in that issue as a Municipal Councilmember. I feel my responsibility is to point out the good or the bad of Act 537 and to fight to make sure that our City disproportionately benefits from the plan as I think it's indicated. Your concern Councilman that you led over the years on the odor control issue but all this other intrigue I don't want to be a part of to be honest with you. Councilman Onorato.

Mr. Onorato:

I just want to say that I pretty much agree with 90 percent of what you said. If those political battles are true, I know we all heard of them. As far as I'm concerned, that has nothing to do with the way I'm voting. The only reason I'm pushing for what I'm pushing for and to recommit this is because the difference between this bond issue and the pension

bond issue is that if it's true that the Commissioners and the Mayor can free up some money for state or federal, then, we'll go out on a lot lower bond issue than what they're willing to go out to now. Regardless of what an interest rate is, the quickest way to lower your interest costs is to go out on a lower bond issue. That's what I'm banking it on. I'm hoping that they can use their clout to come up with more money from the state so we can have a smaller --

The Chair:

I hope you're right on this point and I'm wrong. What worries me is that, politically. because ofthe Administration's ties to the utility company, American Water Works, for the last few years in a row, the Ridge Administration is not funded or has worked to defund the public utilities like ALCOSAN across the state. ALCOSAN gets a \$3,000,000.00 (Three Million Dollar) check from the state for its Waste Water Treatment Facility. The Ridge Administration through America Water Works has attempted each year to get the legislature to kill that. The legislature has overwritten the Ridge Administration. I'm just not very optimistic. I just hope we don't tie up the odor control works, Saw Mill Run intercept and everything else. Mr. Oporato then Mr. Cusick.

Mr. Onorato:

Let me finish my comments. One, obviously I wouldn't even ask my colleagues to recommit and hold this if I thought at all that it jeopardized the odor control. Like I said before, not only is it in my district it's also in neighborhood where

I live and I smelled the odor when it's out of control down there. Everything that I'm asking to do here, the Administration and some of the Commissioners have asked is within the time frame of the Act 537 Plan which is July 1, 1997 to be the start of the odor control work. I think we can resolve this issue about is there any additional money out there from the state or the feds way before that time frame and to go out on whatever bond issue is necessary at that time.

Finally, I would just ask everyone and I know it's been used by many of my colleagues, the ALCOSAN bill being the lowest bill. Using that as a justification just to raise it. Let me just point out, everyone here knows very well that one of main reasons that the ALCOSAN bill is so low is because every municipality subsidized their bad debt. If they had to truly operate as a business and cover their bad debt, I guarantee you those rates would be a lot higher and I don't have to remind anybody about how high our water bill has been lately. You have to look at the total cost picture. I don't ever want to be in the position where we're raising fees or taxes just because we think that what we currently have is too low compared to the national average. If we can do it at that and be the lowest in the country forever, so be it. But, they have to prove to me first that a 50 percent tax increase is the last funding source that we can do. At this point, I'm not convinced to that and I think we have time within the time frame of the plan to check everything else out. So, I will make a motion to recommit this bills.

The Chair:

Councilman Ricciardi has a brief procedure point then Councilman Cusick.

Mr. Ricciardi:

Not on the issue though --

Mr. Cusick:

I will second that motion for a discussion.

The Chair:

I know. Mr. Ricciardi had a brief procedural point.

Mr. Ricciardi:

Just for 10 seconds. Just a side issue. The reason the ALCOSAN bill also is so low and sometimes people say the water bill is so high, please keep in mind the Pittsburgh Water and Sewer Authority not only pays for the commodity of the water itself, but pays for the collection system, all the sewer lining and all the pipes in the City of Pittsburgh. That's very important to note. Thank you.

The Chair:

Councilman Cusick.

Mr. Cusick:

I just want to give Council, I guess, a brief history of ALCOSAN and why we're where we are today. I think that before we started to discuss the 537 Plan it came to a point where -- I just want to make this point. The Mayor's representatives as well as the former Commissioner's representatives, the

Commissioner's representatives that sit on the board today, have all been supportive and asked for this to move ahead. When Joe Catarensic took the chair, he asked us to put a hold on it until he could understand it, fine we did that. It was through the board's due diligence that we came to this point. That we thought it was time for us to move ahead. Our walls were up against the wall. Up until this point, we haven't heard anything from the Mayor in regards to 537. Now, let's be real clear. What's going on in Brighton Heights in the odor control problem is not a part of 537. We're talking about the violations that we are under or we have caused through the clean water act. We're in violation of the clean water act and we have to do something in regards to that. Now, all of a sudden, we're going to go out on the bond issue and the 537 Plan is not time now. Then, we do a bond issue here as you stated Mr. President. It's a good time for us to go out on a bond issue in the City, but it's not a good time for ALCOSAN to go out for a bond issue.

Then, the board is criticized for going out on a competitive or a negotiated bond issue and not competitive. I want to know when was the last time this City or this county have gone out on a competitive and not negotiated a bond issue. This is ridiculous. You talk about politics. lived in the last week. I saw a board member, basically, blackmailed into not voting for a bond issue and it's pretty unsetting. I have been called stupid for voting or going to vote for a bond issue that I thought was morally right to do. I took exception to that because I really believe this is the right thing that we should be doing.

Now, Councilman Onorato offered a resolution which I thought was reasonable that we look for less costly alternatives. That we try to find other funding sources. I thought these were reasonable request and that we adopt which is going to cost ALCOSAN a hundred million and -- \$117,000,000,00 (One Hundred Seventeen Million Dollars) as a part of being the 537 Plan. I thought these were reasonable request. We made a commitment to Brighton Heights. owe Brighton Heights that. We are in their community each and every day. These people have to put up with a lot, we know that.

The Mayor has criticized us for going out on this. Commissioner Cramer has criticized us for doing this. It baffles me, if they don't think that we have looked for less costly alternatives, we can find a big one and that would be to eliminate the odor control program. I would never vote that way. I think that Brighton Heights deserves that, but remember this is about 537, this is not about odor control. We are going to make that a part of the 537 That's \$117,000,000.00 (One package. Hundred Seventeen Million Dollars). every remember that. So, if we want to make the 537 a lot less costly, all we have to do is eliminate the odor control part and we've reduced it by \$117,000,000.00 (One Hundred Seventeen Million Dollars). I'm not ever going to do that. I don't think that we should hold Brighton Heights hostage to a lot of politics, a lot of bad politics. No one wants to pay for what we need here in this region and that is to expand our plan, allow the economic development to go ahead, to bring other communities into our authority and to correct, not only Saw Mill Run, that the \$30,000,000.00 or \$40,000,000.00 that needed to go into that for other communities outside of the Pittsburgh area and to help facilitate some of the needs of my district. Not only that, but other things that are going on, the odor control problems of Brighton Heights.

It's real upsetting to me. Yeah, a lot of politics has been played in the last week. I'm going to support Mr. Onorato's motion and I'm going to support it on these bases. I adopted at the last board meeting with Mr. Onorato had asked us to I voted against this in the preliminary stages. The reason I'm going to go ahead today and agree with him on this is to give -- until I had an opportunity to speak to the executive director, I had asked them to come back in December meeting and give us a report on what they've done to seek other funding sources, to look for less costly alternatives which we've been doing all along. I've also added as a part of my resolution, and I will share this with you Mr. Onorato, that the County Commissioners and the Mayor of this City get involved in seeking out that funding sources because it's as much as their responsibility as it is mine. I'll be damned if they think they can sit on their hands and act like it's not. No one wants to raise rates. This is not what it's all about. But, where we are today we will be in twenty years, most people are already their today. We have the lowest rates in this country and for a lot of reasons that you mentioned Mr. Onorato, a lot of reasons you mentioned Mr. Ricciardi, those are true, but we are going to do everything in our power to keep these down. These are something that are unfunded mandates, but we need to move

ahead. It's the most responsible thing that we can do.

Now, to just give you a little history of if we don't move ahead, what happened in Minneapolis, I believe it was Minneapolis. The Federal Government stepped in and what could have cost them a half billion dollars, cost them a billion. I'm not going to play part to, I'm not going to allow that to happen because of politics. I don't care who gets the bond issue. I don't care who gets upset that we've increased their rates. I know it's the responsible thing to do. Mr. Mayor, I don't think it was stupid, I don't think it was stupid six months prior to my election to vote for the 537 Plan. I want to tell you that publicly. I have a responsibility. that's why you put me on ALCOSAN and I'm going to fill that responsibility whether my election's in six months or in six years. Mr. President, that's all.

The Chair:

Thank you. Councilman O'Connor, this is on the motion to recommit 1325, we would move head on Bill 1350.

Mr. O'Connor:

Well, I agree with almost everything you said Mr. President. I was kind of surprised when we had the briefing on the 537 and the cover. I was under the impression that the Mayor and his people were pushing this. When I questioned what would happen, this is a month ago now, if we didn't do anything, I was criticized for why are you going against whatever the Mayor says. If he says right are you going to say left? All I ask was

the simple question, if you don't do it what happens because of the money. That was my concern. You're talking about unfunded mandates. It sounds really good that we're going to go to Harrisburg and, then, we're going to go to Washington to get all of this money. If we can do anything for money, whatever happened to our Highland Park water money? That's an unfunded mandate that we have been lobbying Harrisburg to come to our rescue with. I'm very concerned -- I think it's definite politics, we know that, who's going to get the bond issue. I would like to see another post-agenda with some neutral person what happens if we don't do it. Is it going to be like the motorcycle thing that we voted against the guy and it cost us a million and a half a year later? I know it's very unpopular to vote for anything like this. I'm concerned that if there is money out there, we should be getting it for our water, our own Pittsburgh water company whether it be a Highland Park or our own problems. This is also to be funded by all going municipalities. It's time to start relooking at it. Again, it's very interesting on why we have to do a bond today. We can't from one issue because our friends are getting the bond and, then, who's going to get it or if we're going to wait until after the election. If it's going to be politics, what is their projected pay then? Is that going to move one percent, a half percent and cost us millions over the years? These are some of the things, politics aside, I think we ought to briefing and try to get a neutral person if we can find such an animal in this city and region to tell us the pros and cons of what happens if we don't, if we sit on it until after the election, or we do it now.

The Chair:

Councilman Hertzberg, did you have comments on this?

Mr. Hertzberg:

Thank you Mr. President. happy to vote to recommit at the request of Councilman Cusick who's serving on ALCOSAN, I have some reservations, too. I really don't want to sit here and tell the public that I think that ALCOSAN will be able to keep rates where they are right now. I just don't see it in the works. I would be very pleasantly surprised if the efforts are successful at all going to the state, asking the state for money for ALCOSAN when right now the state is shorting the public schools throughout the State of Pennsylvania on the funds that they so desperately need that now the state is going to be able to find out to help our ALCOSAN. I just don't see that in the works, but don't leave any stones unturned, give it a try. It's fine at this stage, but I can't be optimistic. I kind of don't see this falling into that unfunded mandate kind of category that everyone's trying to describe this as. Let's be honest with each other, this is our sewage, it's the sewage of the region and it's how we're dealing with it. I don't care where the law is coming from, the law is right. The law is right when it comes Saw Mill Run which at times have contained some really nasty pollutants particularly when it gets high. I know also in Council District 2. Chartiers Creek, we're in the mist of a lot of efforts to try to clean up that Creek which is quite beautiful other than the water itself, the surrounding still are quite were working hard to turn it into

a conservation area.

The odor control at ALCOSAN. itself, the overflow problems throughout the region. These problems all have to be addressed. The Pittsburgh Water and Sewer Authority right now is paying for a lot of the infrastructure, but that's what this is all about for ALCOSAN. It's about ALCOSAN starting to make to capital improvements and starting to pay for them. I'd love to see the rates kept down, but I don't think it's going to be a possibility in the future. I don't want to sit here and give the public too much false hope. The reality is everything that can be done should be done to try to find another way, but there's no reason to be optimistic that there will be another way.

The Chair:

Councilman Cohen.

Mr. Cohen:

The sponsor of the recommital, is this bill be recommitted solely for the purpose of holding it so that these federal and state sources can be sought after or is it to further discuss this issue? Because we've already had a long discussion of this issue which, frankly, was not very edifying.

Mr. Onorato:

The only reason I'm recommitting is for the sole purpose of holding until the report is sent back to ALCOSAN in January.

Mr. Cohen:

That, I certainly could support if that's what this recommital is. We've now had a half hour discussion of the issue, not on the recommital. So, if it's for any other reason then I think we ought to vote it up or down today.

Mr. Cusick:

I had said that, me and Mr. Onorato had had conversation prior to this meeting and I had agreed to the recommital until the time I had to talk to the executive director and ask him how this would affect us.

Mr. Cohen:

The recommital of the bill comes up tomorrow.

Mr. Cusick:

Yes, and if he tells me that there's no problem, Joe, we can wait until the board gets its report in December, then, I will make the motion to hold until that report comes back. If not --

Mr. Cohen:

Will we have that information by tomorrow?

Mr. Cusick:

I'm going to ask him if that information -- if this will in any ways cause this to mess up our plan. If it doesn't, I will hold for probably four to six weeks until we're able to get that information here. But, it's all on what he has to say. Mr. President, one final word on this and I want to be real clear.

I think the public has such bad information in regards to this whole thing. I just want them to know that we are doing everything to make this less costly as possible. That is Mr. Catarensic, through his leadership has -- through the board, we had hired Pittsburgh National Bank to be our financial advisors. They can make no more than \$100,000,000.00 (One Hundred Thousand Dollars) as our financial advisor. If anybody knows anything about bond issues, that's not much money at all.

The Chair:

It's not a dollar a bond.

Mr. Cusick:

It's not a dollar a bond you're right, Mr. President. It will be a \$192,000,000.00 (One Hundred Ninety Two Million Dollars). That was an incredible negotiating that Mr. Catarensic did in regard to the PNC coming on as a financial advisor.

Now, the bond underwriters. The bond underwriters are under agreement, whoever they may be will only -- the money that they make off of the bond will be a recommendation from the PNC group. This has never been done before. This is a unique method that we're trying that ALCOSAN. This is not something that we are just jumping in and jumping out of real quickly to make a lot of people. whether they be on Grant Street or in New York or anyone else, a bunch of money. We are going to try to make this as least costly as possible on the other end too. Where a lot of people in the past have made a ton of money including people

right here in this City, we're not going to take it that way. We're going to take it a different and a more responsible approach. Hopefully, it will work and we can use it here in the City in the future.

The Chair:

I'm going to respectfully vote no on the recommital. I'm sure it will be recommitted, but I just can't vote on it. I think we're unfairly tying the hands of the ALCOSAN Board. I think they've addressed two of the su issues that Mr. Onorato raised. The Act 537 Plan clearly lays out a commitment as it relates to odor control and not letting any communities in and I think clearly they ALCOSAN Board and leadership have said that they will do whatever they can do in corporation with whatever City or County officials there are to raise revenue prior to executing any official bond, I take them on their word. I'm very leery of the Mayor's involvement, what his agenda is here, including Mr.

The Administration is ready to give Paramedics Service away the \$3,000,000.00 (Three Million Dollars) and yet when you look at the 537 Plan, there's \$60,000,000.00 probably to \$70,000,000.00 that the bond issue is committed to the Saw Mill Run Problem with all the South Hills communities that have rightfully and righteously raised these issues and concerns to this Council as far back as, as long as I have been here and a lot longer with Councilman Wagner at the time. Their major resolution is to the sum of one issue with this bond issue including the major odor control initiatives that many of the North Side communities have lobbied long and hard for. I'm not willing to -- I don't know who's going to get the bond more but I do know who's going to get the short end of the stick. I think it's people south of the river and north of river if we don't proceed and move ahead. If the Administration has any plans or consistent fund raising, great, go for it.

ľm iust worried that Administration's involved in trying to project some forced lessons here. If the Carnegie Institute's roof was falling in, we'd be concerned that this Council intervene and protect and improve a major public asset. This public utility is a major asset for this city and this region. It's not only a vital public service, but it has a lot to do with whether or not this region is going to grow, both on a residential and a commercial base and we need a great working utility. We've had one for many decades. Now there's major repairs and upgrades and improvements that are needed badly in this system. It's just not the minimal repairs that are needed, just the federal and state mandates. This is a board that's taken the bull by the horns and made a major commitment to the tone of millions and millions of dollars, over \$50,000,000.00 (Fifty Million Dollars) that will be spent to specifically address City of Pittsburgh concerns and yet we're raising a hue and cry and politicking because of the Mayor's race and the rate increase. I just don't like it, I don't support it, I think we're making a tactical mistake here and I have faith that the ALCOSAN Board is going to do whatever they do to raise money prior to the bond issue. Also, I think Councilman Onorato's concerns on the odor control have been addressed and I think we're

going to upset the apple cart here.. I don't trust the Mayor and the Administration as to what their true agenda is regarding ALCOSAN.

In any event, a motion on the floor to recommit.

Mr. O'Connor:

I agree with you because South Side is getting a benefit, Brighton Heights is getting a benefit. By voting to hold, we're not stopping it, we're letting it go to the board and come back with a --

The Chair:

I think we're hearing two different things, one from Councilman Onorato and one from Councilman Cusick. I think the intent is to recommit. If we recommit, I believe the intent is to hold it up as much as four to six weeks before there's a resolution to it. I would hope that we not do that because I don't see what the benefit is.

Mr. Cusick:

Executive Director would say in how this would address the CIP Program, the 537 Plan. I have to talk to the Executive Director. I understand what Councilman Onorato is saying. I don't feel that it would probably affect the program. If it doesn't, I agree. We can hold until we get that back. We're doing the things that Councilman Onorato's resolution is asking for. If you want some reassurance in that --

Mr. O'Connor:

Saw Mill

Run that's already going on and the future of Brighton Heights.

The Chair:

Those projects will not be done unless the money is generated either from the state, the feds or to the bond issues, so let's not full anybody. The Mayor can grand stand because he's up for re-election about rate increases, but the fact of the matter is if he can raise money from the state, God bless him, go get it, go get the money. If Bob Cramer can get money, God bless him, go get it. But, let's no upset the apple cart at the disservice to the southern neighborhoods and to the northern neighborhoods. I would strongly suggest that this bill is recommitted tomorrow so that we will have a clear understanding of what the tactical issues are regarding much needed capital improvements and whether or not there's any chance of getting additional revenue. We should here from the Administration tomorrow and the Commissioner should be invited. I think we should cut bate tomorrow and move on this.

Mr. Cusick:

I'm asking and, hopefully, there will be no objection, I'm asking the Executive Director from ALCOSAN to be here tomorrow, too.

The Chair:

Thank you. Motion to recommit.

MR. ONORATO moved to recommit the bill.

MR. CUSICK seconded the motion.

Which motion prevailed.

The Chair:

Now, on the remaining bills, including Bill 1350 any other discussion. Again, I have no objection to Bill 1350.

Mr. Cusick:

Mr. President, as I stated earlier on Bill 1350. I voted against Bill 1350 until I was able to take it to my colleagues on the ALCOSAN Board. At the board meeting on Thursday, we adopted basically the same thing that Councilman Onorato did. The other thing that was different really that we would encourage the Mayor and the County Commissioners to get involved in this because this is as much as their responsibilities as it is the board. This program will only benefit not only this region, but this City in economic development. That was the only difference. For that reason, the board adopting and this City not forcing the board to do something that it didn't feel was right, I will be supporting this bill.

The Chair:

Thank you. Any other discussion. Roll call vote on all the bills under Finance and the Budget Committee.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)
Mr. O'Connor

NOES:

AYES: 8 NOES: none

BILL NO. 1246

AYES: 6 NOES: 2

BILL NO. 1322

AYES: 7 NOES: 1

The Chair:

All of the bills having received the legally required number of votes and have been approved finally.

Committee on Public Works, Water, and Environmental Services, Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Mr. Ricciardi.

MR. RICCIARDI PRESENTS:

Bill No. 1399

Reports of Committee for Public Works, Water and Environmental Services for November 20, 1996

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1277 Resolution granting unto Ronald and Sue Corbett, 2010 Wrights Way, Pittsburgh, Pennsylvania 15203, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a porch, set of steps and canopy on the right-of-way on Wrights Way in the 17th Ward, 3rd Council District of the City of Pittsburgh.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bill having received the legally required number of votes, has been approved finally.

Committee on Parks, Recreation and Youth Policy, Mr. Cohen for Mr. Cusick.

Mr. Cohen:

Mr. President.

The Chair:

Thank you.

MR. COHEN FOR CUSICK PRESENTS:

No. 1400

Report of the Committee on Parks, Recreation and Youth Policy for November 20, 1996.

Which was read and filed.

Also, with an affirmative recommendation.

No. 1311 Resolution amending Resolution No. 678, effective September 30. 1996, entitled, "Providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the Summer Food Service Program in the Department of Parks and Recreation". by providing for a Supplemental Agreement or Agreements by increasing the total cost of the program by \$85,000.00 (Eighty Five Thousand Dollars).

The Chair:

You have heard the reading and title of the bill. Is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Ferlo
(Pres't)

NOES:

AYES: 6 NOES: none

The Chair:

The bill having received the legally required number of votes has been approved finally.

Councilman Onorato for Mr. O'Connor, Committee on Engineering and Construction.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO FOR MR. O'CONNOR PRESENTS:

No. 1401

Report of the Committee on Engineering and Construction for November 20, 1996.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1316 Resolution further amending Resolution No. 126, effective February 23, 1993, as amended by Resolution No. 337, effective April 26, 1993, entitled, "Providing for a Contract or Contracts or use of existing Contracts, for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof," by decreasing the total project allocation by \$402.00 (Four Hundred Two Dollars) from \$125,000.00 (One Hundred Twenty Five Thousand Dollars) to \$124,598.00 (One Hundred Twenty Four Thousand Dollars Five Hundred Ninety Eight).

Also.

No. 1317 Resolution amending Resolution No. 1271, effective December 31, 1991, entitled, "Providing for a Contract or Contracts, or use of existing Contracts, for the purchase and installation of Street Trees in Various Community Development Areas; and providing for the payment of the costs thereof," by decreasing the total projection allocation by \$363.00 (Three Hundred Sixty Three Dollars) from \$50,000.00 (Fifty Thousand Dollars) to \$49,637.00 (Forty Nine Thousand Six Hundred Thirty Seven Dollars).

Also,

No. 1318 Resolution amending Resolution No. 490, effective July 8, 1994,

entitled, "Providing for a Contract or Contracts, or use of existing Contracts, for Street Tree Planting at Various Locations; and providing for the payment of the cost thereof", by decreasing the total project allocation by \$260.00 (Two Hundred Sixty Dollars) from \$100,000.00 (One Hundred Thousand Dollars) to \$97,740.00 (Ninety Seven Thousand Seven Hundred Forty Dollars).

The Chair:

You have heard the reading and titles of the bills. Is there any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bills, will vote ayes when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Ferlo
(Pres't)

AYES: 6 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

That concludes our Reports of Committees. Under Motions and Resolution, are there any matters to be brought before the body?

I do want to remind our colleagues and the public this evening, Monday, at 6:00 p.m. there is a public hearing here in Council Chambers regarding the Ordinance suggesting a Referendum on the issue of a Civilian Police Review Board.

Again, on Wednesday, December 4th at 2:00 p.m., there's the tax hearing, citizen participation.

December 5th, Thursday, at 10:00 a.m., there's a public hearing regarding Rezoning on the Grandview Avenue.

December 5th, Thursday, at 2:00 p.m., there's a public hearing regarding the Rezoning of the Lawrenceville Shopping Center Site.

On Tuesday, December 10th at 2:00 p.m., there are public hearings regarding Duquesne University's expansion to the Fisher Scientific Building on Forbes.

Wednesday, December 18th at 2:00 p.m., there's a public hearing regarding the Aliquippa Terrace Construction Project rezoning from "R4" to "RP".

If you're interested in any of those rezoning and public hearings, you can call the City Clerk at 255-2138.

At this time, this Legislative Session stands adjourned. Thank you.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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No. 46

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President LINDA M. JOHNSON-WASLER....City Clerk JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, December 3, 1996

PRESENT:

Mr. Cohen Mr. O'Connor
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. Onorato (Pres't)

The Chair:

Good morning, everyone. City Council's Legislative Session will now come to order.

We are pleased to have here this morning Julianna Scalise who is a 10 years old, 5th grade student at Brookline Elementary School and Joe Scalise who is 13 years old at the South Hill Middle School.

You might know the name because they are the son and daughter of Stan Scalise, as everybody knows is the Administrative Assistant to Councilman Joe Cusick in District 4.

If we can all stand for the pledge of allegiance and then remain standing for a prayer for peace throughout the world.

Julianna Scalise and Joe Scalise:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stand, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you very much Julianna and Joe for being here. Please accept a flag of the City and the United States. Stan congratulations.

The next order of business is Read and Adopted Resolutions. Councilman O'Connor, I don't believe your people aren't here yet. We'll wait for that. Councilman Udin.

Mr. Udin:

Would Father Namdi come forward, please and his guests? Father Namdi is a Catholic Priest from Nigeria

and as part of his work while in the country is to raise our awareness for a need for a children's hospital in Nigeria and to also raise funds towards the building of that hospital.

Many times we kind of take things for granted. When our children become ill, we just rush them to Children's Hospital, but there are many countries who don't have that luxury. So, I think that it is indeed a pleasure for me to be able to be involved with the establishment of such a fund raising project to raise money to build a children's hospital in Nigeria.

The message that is being used to raise the funds is to bring to the United States a Nigerian Dance Troup next year and have them tour the country. I don't know if any of you have seen any of the dance troups from either Synagogue or Nigeria, but they are something to behold. They are very exciting and world class. So, I look forward to the dance troop coming and I'm honored to be able to make this presentation of a resolution in Council to support this effort.

MR. UDIN PRESENTS:

No. 1402 WHEREAS, Fiat Voluntas Missionary Aids was established on September 19, 1995, as a non-profit charitable organization; and,

WHEREAS, the mission of Fiat Voluntas Missionary Aids is to sponsor activities that involve education, culture, and health care for children; and,

WHEREAS, the organization has reached out in many ways to communities

all over the world in sponsoring children's activities and cultural events; and,

WHEREAS, Fiat Voluntas Missionary Aids is sponsoring a cultural exchange in Pittsburgh by inviting an international dancing troupe called the Palace Theater from Nigeria; and,

WHEREAS, this cultural exchange will enrich and expose the people of Pittsburgh to a multi-cultural understanding of other countries of the world; and,

WHEREAS, this exchange will help to raise money towards the completion of a children's hospital being built by the Catholic Diocese of Enugu, Nigeria.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends the Fiat Voluntas Missionary Aids for their commitment to the community.

MR. RICCIARDI moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Thank you. I'd like to invite Father Namdi to say a few words of acceptance.

Father Namdi:

Thank you very much Councilman
Sala Udin and the honorable

Councilmembers, ladies and gentlemen. This may be my first time ever standing before such forum, political forum. I'm glad to be here. Fiat Voluntas Missionary Aids was established for the sole purpose of helping missionary work in the Enugu and the region of Eastern Nigeria. intend to do this through so many ways of fund raising. One of the ways that Sala Udin mentioned is to bring into Pittsburgh some cultural issues, some understanding of what is happening elsewhere and we hope, through this effort, this will be accepted. I appreciated this so much because I know how much this will encourage us and I appreciate the effort of everyone of you in one of the other to make this accepted. I thank you very much. I ask you to continue to be of help to us and we pray for you. Thank you very much.

I'm going to introduce one of the board members of the Fiat Voluntas, Mr. Joe Barrack.

Mr. Barrack:

Thank you Father. Again, thank you Councilmembers. We appreciate the encouragement. When I heard of Father Namdi's organization, he asked me if I would be involved in knowing how critical the need is. I felt that he certainly is working hard and he deserves this support. Again, we thank you for your effort and encouragement.

The Chair:

Councilwoman McDonald and Councilman O'Connor both have resolutions. When your guests arrive, we'll bring them forward.

The Chair has one to be read into the record

MR. COHEN PRESENTS:

No. 1403 WHEREAS, after several years aiding minorities in this country's civil rights movement, in 1971, Attorney Morris Dees founded the Southern Poverty Law Center, a non-profit group that maintains a pool of lawyers who specialize in lawsuits involving civil rights violations and racially motivated crimes; and,

WHEREAS, in 1981, when Ku Klux Klan members lynched a black man in Mobile, Alabama, Morris Dees and the Southern Poverty Law Center sued the Klan for inciting violence and won a \$7,000,000.00 (Seven Million Dollar) verdict; and,

WHEREAS, in 1990, Morris Dees won a \$12,500,000.00 (Twelve Million Five Hundred Thousand Dollar) verdict for the family of an Ethiopian murdered by skinheads in Oregon; and,

WHEREAS, lawsuit by lawsuit, Morris Dees has combated hate-motivated crime by bankrupting hate groups with aggressive lawsuits; and,

WHEREAS, with the publication of his new book, Gathering Storm: America's Militia Threat, Morris Dees is educating people about America's radical militia movement; and,

WHEREAS, against a backdrop of death threats, the burning of his offices and personal sacrifice, Morris Dees has continued to spread his message of tolerance; and,

WHEREAS, the United Jewish Federation is privileged to have a lawyer of the calibre of Morris Dees speak at the Attorney's Division Dinner on December 3, 1996.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Morris Dees for a life dedicated to the fight against bigotry and hatred.

MR. UDIN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

I believe that's all of the Resolutions until we have the guests arrive for Mr. O'Connor and Valerie McDonald. Is that right?

We now move to Presentations of Papers. Councilman Cusick for myself for Public Safety Services.

PRESENTATIONS

MR. CUSICK FOR MR. COHEN PRESENTED:

No. 1407 Resolution amending Resolution No. 448 approved June 21, 1996, entitled, "Amending Resolution No. 978, effective January 1, 1996, authorizing the Director, Department of Public Works, to establish a fee schedule for the collection of non-recyclable waste from

certain institutions, by changing the fee schedule set forth in Section 2 of that Resolution and changing the effective date set forth in Section 4 of that Resolution".

Which was read and referred to the Committee on Public Works, Water and Environmental Services.

The Chair:

Councilman Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cusick:

I have no new papers, Mr. President.

The Chair:

Councilman Cusick for Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Cusick:

No new papers, Mr. President.

The Chair:

Okay. Councilman Cusick for Councilwoman McDonald, on Housing, Economic Development and Promotion.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Councilman.

MR. CUSICK FOR MS. MCDONALD PRESENTED:

No. 1408 Resolution providing for issuance of a warrant in favor of Annie Pettway in the amount of \$5,999.00 in payment for professional services rendered to Councilwoman Valerie McDonald, District 9, chargeable to and payable from Code Account 1001-2, Salaries, Wages and Services of Council.

MR. CUSICK moved to suspend Rule 8 so this can be placed on Wednesday's agenda.

MR. UDIN seconded the motion.

Which motion prevailed.

Also,

Resolution amending No. 1409 Resolution No. 375, effective May 25, 1995, entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses, maintenance. purchase equipment: of and/or rehabilitation of neighborhood facilities for the benefit of residents of the City at a cost not to exceed \$1,190,000.00, chargeable to and payable from the 1995 CDBG Program" so as to delete a funding group and add the funds to another group.

Also,

No. 1410 Resolution authorizing the URA to acquire all of the City's right, title and interest, if any, in and to the publicly-owned property in the 15th Ward of the City of Pittsburgh being designated

as Block & lot 54-J-355 under the Industrial Land Reserve Fund.

Also,

No. 1411 Resolution approving execution of a Disposition Contract by and between the URA and the International Union of Operating Engineers, Local 95, for the sale of Block 54-J-Lot 355 in the 15th Ward of the City for the sum of \$2.800.00, Industrial Land Reserve Funds.

Also.

No. 1412 Resolution approving execution of a Disposition contract by and between URA and Patrick K. Shelton for the sale of Block 23-F-Lot 303 in the 12th Ward of the City, Residential Land Reserve Fund.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilman O'Connor for Engineering and Construction Committee.

Mr. O'Connor:

No new papers, Mr. President.

The Chair:

Thank you Councilman O'Connor. Councilman Onorato, Committee on Planning Zoning and Land Use.

Mr. Onorato:

No new papers.

The Chair:

Thank you Councilman Onorato. Councilman Ricciardi, Committee on Public Works, Water and Environmental Services

Mr. Ricciardi:

No new papers, Mr. President.

Mr. Cohen:

Thank you Councilman Ricciardi. Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

I have a paper, Mr. President.

The Chair:

Thank you Councilman.

MR. UDIN PRESENTED:

No. 1413 Resolution providing for a Contract or Contracts or use of existing Contract or Agreement or Agreements for the purchase of equipment for the Department of the City Controller at a cost not to exceed \$13,000.00.

Which was read and referred to the Committee on Finance and the Budget.

THE CHAIR PRESENTED:

No. 1414 Resolution further amending Resolution No. 976, effective January 1, 1996, entitled, "Adopting and approving the 1996 Capital budget and the

1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program", by decreasing and adding various line items in conformance with City Council's 1996 Capital Budget amendments.

Also,

No. 1415 Resolution amending Bill No. 1375 of 1996, which further amended Resolution No. 624, effective August 16, 1996, entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing & Urban Development for a grant in connection with the 1996 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of funds in a bank account and providing for the payment of expenses within categories," by decreasing City Council line item McCandless & Leslie Park Children's Playground from \$20,556.00 to 0 dollars, and adding City Council line items Golden Carriage, for the purpose of obtaining a van for senior citizen's transportation, from 0 dollars to \$15,000.00 and Lawrenceville Development Corp. for the Lawrenceville Industrial Facade Treatment Program from 0 to \$5,556.00.

Which were read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Thank concludes Presentations of Papers. Councilwoman McDonald you have a couple of Resolution. Are those to be read into the record or do you have guests this morning.

Ms. McDonald:

No, I don't believe I have any guests here, only papers.

The Chair:

Let's do that now, those to Resolution to be read into the record. Thank you. Councilman McDonald.

MS. MCDONALD PRESENTS:

No. 1404 WHEREAS, on December 7, 1996, Ermae Chapter #101 will be honoring Elizabeth P. Jones at its 33rd anniversary banquet; and,

WHEREAS, Elizabeth Jones, "Betty" to her family, was born in Pittsburgh to Floyd and Joanna Peterson and she received her education in the Pittsburgh Public Schools. In 1950, she married James C. Jones. Their children are James Jr., Sherdina, and Justine; and,

WHEREAS, Mrs. Jones is being recognized for her fraternal activity as one of the remaining Charter Members of Ermae #101, and her achievements in other houses of the Prince Hall Family and Deborah Grand Chapter. Some of the many offices she has held include Grand Trustee of West Deborah Grand Chapter for sixteen years and Secretary of Ermae #101 for twenty years; and,

WHEREAS, Ermae #101 was created under a dispensation from Deborah Grand Chapter Order of the Eastern Stars, Prince Hall Affiliation for the Commonwealth of Pennsylvania. The organization was formally established with its Charter on November 22, 1963; and,

WHEREAS, the members of Ermae #101 focus their activities and beliefs with God as their center. They are active in the community with both youth and senior citizens, including a scholarship fund for youth seeking to further their education.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh commends Ermae #101 for its many activities within the community and we join it in honoring Elizabeth P. Jones for her numerous contributions to the organization and the entire City of Pittsburgh.

Also,

No. 1405 WHEREAS, Sunday, December 1, 1996 is World AIDS Day and the Graduate School of Public Health of the University of Pittsburgh will sponsor a poster session and program on Tuesday, December 3, 1996; and,

WHEREAS, co-organizers of activities for World AIDS Day at the University of Pittsburgh are Donald R. Mattison, Dean of the Graduate School of Public Health and Angela F. Ford, Associate Director, Center for Minority Health. The program will consist of poster presentations, various speakers and the Names Project will display their AIDS quilt; and,

WHEREAS, in Pennsylvania alone, over 16,000 cases of AIDS have been reported. AIDS is the leading cause of death among men aged 25-44 years, and is the third leading cause of death among women of the same age; and,

WHEREAS. the Center for Minority Health at the Graduate School of Public Health provides the organizational infrastructure for а long-term comprehensive program focusing on minority health care research, education, and training. The core of the Center's mission is to concentrate on conditions affecting the health of the nation's undeserved minority populations and to influence policy to address conditions.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, in recognition of World AIDS Day, commends the Graduate School of Public Health and the Center for Minority Health for their advocacy on behalf of people with AIDS and for educating the community.

MR. RICCIARDI moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Under Unfinished Business, is there unfinished business to be brought before the body? Hearing none, we move to Reports of Committees. We will begin with Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS:

No. 1416

Reports of Committee for Finance and the Budget for November 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1151 An Ordinance supplementing the Pittsburgh Code, Title I, Administrative; Article VII, Procedures; Chapter 161, Contracts of the City Code bv adding Subchapters 161.30, Contracting Out and 161.31, Review Committee Review; and by supplementing Title IV, Public Places and Property; Article VII, City Realty of the City Code; Chapter 452.04, Regulation of Sales; Regulation of Contracting Out and Sale of City Recreational Facilities..

Also,

No. 1288 Resolution providing for the conveyance by the City of Pittsburgh of certain real property to the Public Parking Authority of Pittsburgh,

transfer of \$2,600,000.00 to the Public Parking Authority of Pittsburgh and the acceptance of a right-of-way by the City of Pittsburgh.

Also,

No. 1315 Resolution authorizing and directing the City Controller to conduct an audit of all existing agreements between the City of Pittsburgh and other municipalities which relate to suburban conveyance interceptors, and to provide a report to Council within 45 days of enactment of this resolution.

Also.

No. 1346 Resolution authorizing the transfer of an aggregate total of \$2.635.000.00 from various code accounts to Fire Premium Pay, Code Account 1461-1. Index Code 146118 and \$20,000.00 from Salaries and Wages, Bureau of Police. Code Account 1443, Index Code 144303 to Fire In-Grade, Code Account 1461-2. Index Code 146126; and \$500.00 from Salaries and Wages, Bureau of Police Code Account 1443, Index Code 144303 to Fire Longevity, Code Account 1461-3, Index Code 146134.

Also,

No. 1352 Resolution providing for the issuance of a \$948.00 warrant in favor of Leslie Itskowitz in settlement of a claim for sidewalk damage due to City tree roots.

Also.

No. 1354 Resolution providing for the issuance of a warrant in the sum of

\$2,812.00 to Daniel C. McGrath, c/o Regis J. Schnippert, Esquire, Weiss Michalek, 4 West manila, Pittsburgh, PA 15220, in full and final settlement of the action filed at Court of Common Pleas AR 96-1428, from a water line break and/or leakage causing injuries and damages sustained to the real property of Daniel C. McGrath at or near 2736 Shelly Street, Pittsburgh, PA 15203, on March 1, 1994.

The Chair:

Good morning. Councilman Ricciardi.

Mr. Ricciardi:

Councilman morning Mr. President. I'd like to make a motion to move a group of amendments that should be before you as a package for discussion, please.

MR. O'CONNOR seconded the motion.

The Chair:

There's a motion on a amendment, Bill 1151. It's moved and seconded. All in favor for discussion.

MR. O'CONNOR seconded the motion.

The Chair:

Discussion, Mr. Ricciardi.

Mr. Ricciardi:

Thank you Mr. President and colleagues. This morning I was able to talk to several of you regarding a host of amendments that were proposed by our

Budget Director. After speaking to many of you, those amendments were not acceptable; however, there were two amendments that Councilmembers said that they would support, amendments that are before us today. One is changing the composition of the Review Committee on Bill 1151. As colleagues, you will recall the initial review committee that was presented by myself consisted of three individuals. One would be a member of Pittsburgh City Council, the second was the Director of General Services, and the third was the City Controller.

The Administration proposed a change in its composition. Their first initial response was that they would really like to have the Solicitor on there, the Director of General Services, the Director of the Budget Department, member of Council and a member of the Controller. However, that was not acceptable to me or by others, specifically, Councilman Joseph Cusick who wanted to make sure that it was not tipped in anyone's favor. Mr. Cusick mentioned that labor should be a part of the committee and I agreed with him.

The amendment before us will have five members of the review committee. That is the Budget Director, the Controller, a member of this Council, the Director of General Services, and a member of the Labor Segment here in the City of Pittsburgh which will be nominated by the Mayor's office and confirmed by this body, that's the first amendment.

The second amendment is a little more detailed and hopefully you've had a chance to read 161.30. That was that I

believe and I believe you did during our initial committee session, that if we had a lost of wage tax, that is a contractor or a vendor, came in to displace city workers and brought forward a staff or a labor work force that did not live in the City, that wage tax should be part of the cost of doing business. It should be a cost that we should recognize that should be attributed to the contractor and, in affect, become a lost wage.

What the Administration is saying here is that if the contractor in any way hires city employees or hires a city resident, then, obviously, that wage tax needs to be also applied to their contract. I agree with that. If we're going to "place against a contractor a lost of city wage tax" they should also be credited for adding to our wage tax base.

On page 2 is just some housekeeping words that needed to be changed and you have the ability to review that. Hopefully, after your initial reaction, you'll see there shouldn't be much discussion on that one, just changing some terminology.

That's the amendment before us. I thank all the colleagues that I've had an opportunity to talk to this morning. I understand your unwillingness to accept the number of amendments put forward by the Administration. Obviously, if this bill passes today and they're not pleased with it, they have the ability to veto it. Thank you.

The Chair:

Point of notification. You keep referring to other amendments by the

Administration. Are there other amendments by the Administration?

Mr. Ricciardi:

Mr. Ferlo, I did stop in your office and you were unavailable. The Administration asked for a host of amendments that I could not support and members of this Council could not support. The only amendments that are coming forward is this packet.

The Chair:

This document from you?

Mr. Ricciardi:

Yes.

The Chair:

Thank you.

Mr. Ricciardi:

And, again, page 2, Mr. President, is just some housekeeping terminology and changes. The one of real substance is the review committee itself and I thank Mr. Cusick for his input and carrying the flag in this case for a member of labor to sit on the Review Committee.

The Chair:

Thank you. Discussion on the bill as amended. Councilwoman McDonald.

Ms. McDonald:

Thank you. On the bill as a whole, I did support the spirit of things as far as

ensuring that we don't give Labor a bad deal in terms of any type of restructuring that we want to do within our ability to service in terms of public services. I don't agree with any changes that would royally hurt the employee. We pay good wages and I believe every employee in the City, in fact, I believe in living wages. We talk about welfare reform, let's talk about living wages, real wages.

The problem that I have is that I haven't had an opportunity to hear through this Council body in appropriate form, like the Standing Committee's Meeting, the amendments that the Administration had wanted so that we can adequately debate this. This is a very wady bill, it's very important, it's going to have a bearing upon any thing that we do in the future in terms of how we restructure and how we administer our public services. So, I would like — I'm going to abstain. Not vote no, but abstain because I would like to hear from the Administration.

What I would request even more so than an abstention on the vote is to reconsider this for additional discussion. I would like this bill to be such that every single individual is comfortable with it and that we're not giving pull with the Administration on this. I don't want any game playing, that's the bottom line. I want it to be done smoothly. So, I will abstain if we do vote. Otherwise, I would go along with the Council body if they would reconsider so that we can have adequate discussion on any additional amendments or just to debate on whatever amendments were offered.

The Chair:

Councilman Ricciardi:

Mr. Ricciardi:

I'd like to address the issue of amendments Please he aware Councilmembers that this bill is sponsored by myself, this bill is not sponsored by the Administration. This is a bill that's coming out of this legislative body. Meaning that, if there are any changes that the Administration would like to make to my bill, they could do that by presenting their own amendments or legislation through a presentation of papers. So, in no way do I feel that we have to reconsider this bill or consider amendments put forward because this bill has been initiated and sponsored by Councilmember and not by the Administration. I do thank you for the comments though.

Ms. McDonald:

I just think that it would be messy. I don't like that process. I want one solid bill. I remember when Councilman Cusick came forward with the Curfew Bill and there were amendments upon amendments upon amendments and it gotten a little crazy there even though we eventually did have one bill. I remember the process was agonizing and I would prefer one bill to come forward that you sponsor this, you get the credit and if the Administration would like to amend it, to do it within the confines of an existing bill sponsored by Councilman Ricciardi.

The one thing I do have to commend Councilman Ricciardi for is the addition -- one concern I have is the expansion of the Review Committee. I thought that three representatives was just

too few for something as important as this and that you do have a representative of Labor who will speak for the workers. So, I do like that amendment but, at the same time, I would like the opportunity to be able to debate this and to gain more information in an adequate discussion before the Administration so that we may be very clear on exactly what the Administration's concerns are and where this Council body would like to go in terms of how we administer services.

The Chair:

Mr. Ricciardi, if you're moving on this bill today, I very much support the amendment. I do support the bill after spending more time trying to understand what the purpose and intent is. The main reason why I support it, even though I made it clear last week that I'm very concerned that in no way should be pass any Ordinance that hastens or further enables the Administration to privatize or contract out. As I studied the bill more as you've written it and have actually crafted it more appropriately, I don't think it does that. I think if anything, it actually creates much more of a level playing field. It is parochially a bill that not only helps city employee but, more importantly, and/or the collective bargaining unit. I think, more importantly, it's a parochial bill that actually helps City of Pittsburgh residents. For that reason, that was my final decision.

I think it's a good bill and I think your amendments have actually strengthened the bill. I realize there's some concern or further need for discussion, but I hope that we can move on this bill today not withstanding the fact that the Administration, as Mr. Ricciardi

points out, has the right to at any time further amend and fine tone the bill. I think we need to send them a message in light of a lot of decisions of the recommendations of the Competitive Pittsburgh Task Force, the Mayor himself short changing the Paramedic Budget by \$3,000,000.00. I think we need to make a clear policy statement here and for that reason, I'm very much in favor of this bill as amended. Councilman Cusick then Mr. Hertzberg.

Mr. Cusick:

As you just stated so elegantly, I think is a good piece of legislation. I think it's a good piece of legislation for the workers, for the City of Pittsburgh in general. I want to thank the sponsor of the bill, Mr. Ricciardi, for defining the Review Committee and also adding representative of Labor. I think that they needed to have a fair playing field and Labor needed to be a part of that field. Having said that, again, I want to thank Mr. Ricciardi for offering this bill to us. I'm prepared to move on it today and I would hope that the rest of my colleagues would do also.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I've had the opportunity to go through these amendments. I was supportive of the bill previously, I'm supportive of it now under the amendments. I had asked for my comments from last Wednesday's meeting to be brought forth. I think the morale of

the city workforce has been impacted by a lot of the discussion of privatization that have really been thrown around half hazardly and carelessly lately. Not so much by the City, but maybe the County and it's been repeated over and over again in some of the news report.

We have a lot of our employee running around scared that they may be on the chopping block next. That's one of the main reasons I think this is a very timely piece of legislation. It doesn't say that that can't happen. What it does, though, is it sets up an analytical frame work and a very fair and a frame work that's best for the tax payer that says what's going to be the best way to spend tax payers money.

Putting a Labor representative on this board type of group I think is a very appropriate method. I don't think that we're stacking the deck by any means either. I think, actually, the process would call for the nomination to come from the Mayor and to be approved by Council that it actually is weighted towards the Mayors office when taken in total.

I think when you use this frame work, what we might find out a lot of times is that we're going to have to do something that's difficult. If the complaint is that the City Department or Bureau or what have you is not operating efficiently it can be done more efficiently, privately. We go through this whole analysis and it proves that's just not the case. We're going to have to take a look, a real close look, at our management practices and the entire practices within the division or bureau, then we're going to have to find out what's broken and fix it. That's a lot harder to do than to just privatize

something. I think this is going to require us to do that kind of thing, to make things more efficient.

Lastly, I want to thank Councilman Ricciardi. He's been talking about this for a long time. I know he's had the idea. I know he's worked on it very hard. I believe he's put together a fine piece of legislation. It's very comprehensive, it's very well thought out, both as it originally set forth and now as it's amended.

The Chair:

Thank you Councilman. Councilman Udin.

Mr. Udin:

Thank you Mr. President. First of all, I want to say that I think that the legislation that's presented by Councilman Ricciardi is a thoughtful and timely piece of legislation that addresses a real need. In addition, I'd like to add that another real need in terms of City contracting has to do with the involvement of women owned businesses and minority owned businesses in the City's contracting of market place. I would have liked to see the Director of the Office of MBE, WBE on the committee or in some way who's input would be represented and guaranteed. That would have been one issue that I would like to see

Another issue that I would have liked to have seen would have been a public hearing. I think that the bill is far reaching. It involves a great number of constituting groups in the City who's input I would like to have heard. I think it's unfortunate that -- I know we're not

required to have a public hearing on every issue, but I think this issue impacts so many people that I would have liked to have heard their views.

The Administration's concerns concern me not because they come from the Administration, but because one of the issues that I raised last week was that I wanted to have a thorough going review from the Solicitor's office on any legal implications that might be implied in the legislation and also any implications that it might have for collective bargaining. My fear is that some of those concerns may have been articulated in the Administration's amendments which we will not see unless the Administration vetoes it and it comes back and gets an opportunity to be rediscussed.

Finally, Mr. Chair, my final concern is that I think that rather than leaving the final member of the Council representative, leaving it blank, I think that it should be assigned to an appropriate Committee Chair. It would probably be the Finance Committee, at the risk of sounding self-servant. I certainly don't need any additional work, but I think that the kind of involvement that the Chairperson of the Finance Committee has with the Office of Budgeting is one that allows for a kind of a balance to the Administration. I think that whoever the Finance Chair is, we're passing this bill for the next 100 years, whoever the Finance Chair is, ought to sit on that committee

Those are my reservations. I would hope, somehow, we would get an opportunity to have those reservations addressed either now or in the further.

Until then, I think that I have to be abstaining on this bill.

The Chair:

Just in response, I think we can address at least two of them. This bill does not preclude the review or input from the MBE Committee as I read it. MBE Committee would still have their responsibility both under ordinance and executive order by the Mayor. Both in the area of professional service contracts and in competitive bids. If we look in the past, many of the arrangements that we've had regarding so called outsourcing or privatizing were actually of a professional service contract nature. They weren't a lowest responsible bid, the Parking Authority, the Water Authority, the Zoo, and the Phipps. They were actually transferring responsibilities and existing collective bargaining agreement and they were molded as a professional service critique not a competitive bid kind of an arrangement. So, this does not preclude the MBE from performing their important function.

Secondly, the bill is still open for further amendment. I can't make an amendment but I think your point about having the Finance Chair specifically be the Councilperson. I, personally, support that regardless of who is in that chair. I think it's a good, good logically line of communication and it's a good way to further link the role of the finance chair. Recognizing that the Finance Chair oftentimes deals the most on a daily basis with our Finance Budget Director, Mr. Salik, in this instance and others in the future. I, personally, think the bill should

further be amended to specifically suggest that. Councilman Ricciardi.

Mr. Ricciardi:

I think, Mr. President, responded very well to Councilman Udin's concern regarding inclusive. I'd like to read this to make people realize that -- in the bill 161.30(c) last sentence, "every contract shall contain provisions requiring the contractor to comply with a policy of non-discrimination and equal opportunity for all persons. Pursuant to the Pittsburgh Code and the Administration's Directive, in this case the Mayor's Directive, all contracts must be evaluated and reviewed by the agency's office of minority and women's business enterprise committee". So, obviously, we have no way of watering down the ability of that particularly committee to oversee any type of contract given out here in the City of Pittsburgh.

The Chair:

Any other discussion or other possible amendments? Mr. O'Connor.

Mr. O'Connor:

I didn't get a chance to speak much last time. I just want to show my support for Mr. Ricciardi. I think the timely is perfect, especially before the holidays. It sends a clear message to our employees all over the City that we on Council support them and thank them for what they do. Before we even think about privatization, hopefully, this Administration would better equip, better train and better manage the management and the employees to compete. I think it's very appropriate. I

think we have a very good work force. It's probably been on edge as Mr. Hertzberg said, this privatization especially more on the county now than it was on the city. There's probably not a day go by where people don't talk, especially around budget, if their jobs are going to be here. It certainly sends a clear message that we support our workers and think they will do and continue to do a good job.

The Chair:

Councilman Cohen then Mr. Onorato.

Mr. Cohen:

Thank you Mr. President. I want to commend Councilman Ricciardi for all the hard work that he has put into this bill. I support the bill. I think it will provide for more competition and fair competition and for now on we won't be excluding our own employees from city contracts. But, in fact, saying come in and compete because you do good work. I think that that will certainly improve morale and allow for a stronger more efficient city work force. Again, congratulations Councilman Ricciardi and I think this is a good piece of legislation.

The Chair:

Councilman Onorato.

Mr. Onorato:

I just want to have my comments brought forth from last Wednesday. I also want to congratulate Councilman Ricciardi. I also want to add that the reason I'm supporting the bill is that I

think it brings a closure to the discussion of how we address the financial problems of the City. As we sit here and discussion different options and looking competition, I think sometimes down here we forget that other people are watching and there's results of our comments. While, might understand and know that what we're talking about is that we want to keep living wages intact, people watching might view our comments as though we just going to down source everything. I know as one Councilmember and I'm sure the majority of us agree if not all of us that we are not going to solve our financial problems by putting it on the back of the workers and tell them they have to work for \$5.00 an hour with no benefits.

I think if we're really going to turn to our workers and ask them what they think we can do to make the department more efficient, they have to know that they can't be under cut by somebody paying minimum wage on the outside who can come in and out goes all their jobs. I think this sends that signal. That we are committed to paying the good wage, paying benefits and to provide a fair playing field when we ask the employee to come up with ideas on how they would improve their department. I think that this closes the one end of the big question mark that's been out there. I know we've all heard it from employees, so I'm in full support of the bill.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

I wasn't going to say any further remarks, but I have to respond to Councilman Onorato and I will go on record. I do not want my abstention to ever be construed as pro-privatization, anti-privatization, pro-union, anti-union, pro-worker, anti-city worker. bologna. Anytime I vote on something, it is because it makes sense. It is good for people, it is good for the City and it is good everybody. That predicates my vote. I am not, as Councilman Udin had said, I am not given any opportunity to further discussion this. We have discussed bills until they're blue, discuss, discuss, discuss, and beat it some more. This bill we have one Standing Committee Meeting to discuss it, one. No public hearing, nothing. I'm not opposed to the spirit of the hill. What I'm abstaining from is I have not been afforded adequate opportunity for me to adequately digest this bill, to understand the ramification and to hear an opposing side. No different than the Civil Review Board, no different than any other controversial issue we have had before us. I want to hear both sides to make an intelligent, rational decision.

For me to vote yes, that may be a good decision, but I have not received enough information for me to have that level of competence. Really all I wanted was more discussion. A public hearing would have been fine. Councilman Udin's suggestion is great. But, just one Standing Committee Meeting to me, we've had less controversial bills before us and we've had more than one discussion on it, more than one Standing Committee. I just don't have enough information. I just have not be privy to being at the table to actually know what are the ramifications, I don't know. So, therefore, I'm going to abstain because

I don't know. Anytime I abstain on something, it's because I have not had the facts.

The Chair:

Any other discussion? Councilman Udin.

Mr. Udin:

For clarification, I was in Council with the maker of the bill at the time that the commitment was made about abstentions. I had indicated a possibility that I might abstain. I didn't hear what the comment was and I was wondering whether the maker of the comment wish to repeat it.

Mr. Onorato:

I don't know why those comments are directed at me. I didn't say anything about abstention.

The Chair:

Any other discussions? The Chair has to respond to specific motions. There are no other motions on the floor by way of amendment or recommital. So, I think we need to proceed with the bill.

There are other bills also on this committee. Are there any other discussions on this bill as amended or any other bill in the Committee on Finance and the Budget? Councilman O'Connor.

Mr. O'Connor:

I have an amendment to my bill concerning the City Controller conducting

audits with the agreements between us and neighboring municipalities. At your suggestion, Section 2, I'll just read. "The City Controller shall provide a report to City Council documenting each agreement and the amount of rents received by the City." We'll just delete the 45 days especially because of the budget time and the holidays. I spoke with the Controller's Office and he's willing to accept this.

MR. CUSICK moved to adopt this amendment.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

The bill is amended. Any other discussion on the remaining bills?

I continue to have concern on Bill 1288. I want to thank Mr. Leepert and the Law Department for responding to our inquiry on this purchase on this CSX Lot for \$2.6 million dollars.

My reservation is still that it's a significant amount of money. I question whether or not it's even a buildable lot in terms of a building, there's no independent appraisal of the property and I support the need for additional parking, but I do have a major reservation regarding the cost. I going to be respectfully voting no on that bill.

Any other matter to be brought before the body on this Committee? Councilman O'Connor.

Mr. O'Connor:

I just want to mention on that bill too --

The Chair:

Which bill, now?

Mr. O'Connor:

On the CSX Railroad, Bill 1288. I have, again, very mixed emotions. certainly would support the bike way, the future Mon Valley Expressway or any potential mass transit on that property. I do want to thank the Administration. I think Mr. Leepert sent over, at my request. a potential sell. There's a provision in there that they can't potentially sell it to a private owner which I think you and I are both on the same wavelength. I feel that should be done now. I don't want to interfere with the bill in the spirit of the bike way and the future Mon Valley Expressway. I will support it only because this provision is in there and they will be actively looking for a private owner to take that part of the property over. Otherwise, I agree with you. I don't think we should be spending taxpayers dollars on something that a private owner would certainly be willing to buy. encouraging them and I'm taking them at their word that they will be looking for private investors especially in light that they're talking about selling the parking lots anyhow. Why should we be investing taxpavers dollars in this?

The Chair:

Thank you. Any other discussion? Hearing none, roll call vote on all the bills.

We amended two bills, please be mindful of the Clerk's Office.

If you're in favor of the bills, please vote aye when your names are called. If your opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato Mr. Cusick Mr. Ricciardi Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Udin Mr. O'Connor Mr. Ferlo (Pres't)

NOES: none AYES: 9

Bill No. 1151

ABSTAIN: 2 AYES: 7

Bill No. 1288

AYES: 8 NOES: 1

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

Before we move to the Committee Public Water Works. and on Environmental Services, we have a distinguished delegation from the Country of Ukraine. We'd like to welcome our visitors. At this time, I'd like to call on Councilman Bob O'Connor on behalf of all the members.

Mr. O'Connor:

Will the delegation please call forward. Thank you for your time. They had been meeting with Deputy Mayor Sirabella. Steve here is the Coordinator via the Ukrainian Church on the South Side. We do have a South Side representative. Gene I think you should be here because you represent a very heavy part of the Ukrainian population on the South Side in Pittsburgh. I know when I worked in the Steel Mill, we had quite a few Ukrainian's that worked there. learned a lot from them and they're great cooks, too.

MR. O'CONNOR PRESENTS:

No. 1406 WHEREAS. the Pittsburgh Council for International Visitors is currently hosting representatives of the Ukraine by taking part in the Community Connections Program sponsored by the United States Information Agency's Office of Citizens Exchange; and,

WHEREAS. the Community Connections Program is an unique opportunity for Americans to assist citizens of the Ukraine in learning the structure and operation of the American government and judicial system; and,

WHEREAS, with a population of 53 million, the Ukraine is the secondlargest of the new and rising Eastern European economies. With opportunity, the United States can play a critical role in aiding the Ukraine's transition from a top-down command system to an initiative-driven, bottom-up free enterprise economy; and,

WHEREAS, the following distinguished governmental and legal representatives are taking part in this prestigious program: Serhiy Beshulya, Viktor Moiseyenkov, Oleksiy Rybalka, Volodymyr Ustymenko, Volodymyr Zhykharsky, Antonina Bobkova, Tatiana Kiseloyova, Oleh Pidenko, Roman Petrov, Vladimir Tchichko, Nelly Yeltsova.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Ukraine's efforts and wishes them all the best in their new and bright future.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, December 3, 1996, "Community Connections Program Day" in the City of Pittsburgh.

MR. CUSICK moves to adopt this resolution.

MR. ONORATO seconded the motion.

Which motion prevails.

Mr. O'Connor:

Steve do you want to take over?

Steve:

Well, first of all, I would like to thank you all for the distinct privilege and honor to have been invited to meet with members of City Government and, particularly, to attend a City Council meeting.

The members of our group, there are 11, I will have two representatives of each group introduce themselves.

Our program is sponsored by the U.S. Information Agency. It's entitled Community Connections and it is a foreign aid program to help promote democracy in Ukraine. We have five members of the group from Doness which is Pittsburgh's sister city and six from the government and their local government leaders.

First, I will introduce Serhiy Beshulya. He is the representative for the government group. He is the head of City Council in Doness. Roman Petrov who is the Assistant to the Dean at the Doness Law School. He's introduce the legal participants.

Mr. Beshulya:

morning ladies Good and gentlemen. I have great honor from the government of to present the Council of our City. I have great honor to greet you here. I think this visit and the work in the City of Pittsburgh with the government will help us to overcome difficulties that we have on our way to develop economy in our country. Out of this City that has 1,402,000 people have the same problem right now that Pittsburgh had in the '70s and '80s.

We will have our short period this time to understand everything what you've done for this time since '70s to make your City prosper, but we see our goal and we will do our best to fulfill this goal with your help. I would like to introduce some people from the Council of Doness, Viktor

Moiseyenkov, he's Vice Council in Doness and he's responsible for financial questions. ______, he is the, actually, the Head of Council. Vladimir Tchichko, he is the head of ______ Region in Doness. Volodymyr Ustymenko, he is the Head of the Legal Service.

Mr. Petrov:

On behalf of our group, I would like to express our great appreciation for American government in agonizing of this Community Connection Program which gives us the unique chance to be here. To see this little democracy here in this room and also start real steps over establishing close link in relations to our sister cities, Doness and Pittsburgh.

As the matter is said, these two cities are very similar and we are trying to start a new experience appearance and a very useful experience, how it's possible to keep tract of our economy, heavy industrial and a start new period of the region development. The most industrial region in Ukraine. We hope it will be a base of the future in economic development in all Ukraine.

Also, I'm glad to introduce members of our legal group. This legal group consist from two parts, Law Professors and representatives of Economics and Law Faculty of Doness State University and representatives of Doness Immigration Group.

On behalf on Economics and Law Faculty. I would like to present for you the Head of Economics and Law Faculty, Professor Tatiana Kiselyova. His specialty is in criminal justice and former City Prosecutor. Also, I would like to present for you Professor Antonina Bobkova. She is Professor in Environmental Law. She's taken part in drafting and working on several drafts of CT and Legal Arts in the protection of environment art. The most art show program of our region. I'm a Lecturer, my name is Roman Petrov and I'm responsible for international programs of my law school. Also, I'm glad to present_____. She is the Director of ____ school, Ms. Nelly Yelsova. Also, here is co-nature of the project, _ project in our region, Mr. Oleh Pidenko. A young co-nature of the Spanesa group an undergraduate student of our law school Nelly Yeltsova.

Thank you very much for this unique opportunity. We guess it's a real chance to prove the famous Ukraine in proverb. It's better to see it once than to hear about it hundreds of times. So, we're here once and we seen it in reality how American and we are glad to study your lessons. Thank you very much.

The Chair:

Thank you and congratulations. We're very honored to have you in our City. Thank you very much. Our two colleagues, Mr. O'Connor and Mr. Ricciardi will escort you out and take an appropriate picture.

I want to remind our colleagues that we will be recessing this meeting later on as opposed to adjourning so that we can meet tomorrow immediately following the Standing Committee Meeting. Presumably, the information will be back regarding the two bond issues and we will

be able to meet in the Standing Committee and know the interest rate and the actual expenses to be paid. And, also, ultimately final adoption of that transaction.

Councilman Cohen

Mr. Cohen:

After the meeting tomorrow?

The Chair:

Yes, we'll meet immediately following the Standing Committee Meeting tomorrow which I think is at the regular meeting time at 10:00 a.m.

That concluded our Report of Finance and the Budget. I want to remind ourselves that we did amend two of those bills

Moving to the Committee on Public Works, Water and Environmental Services, Councilwoman McDonald for Mr Ricciardi

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD FOR MR. RICCIARDI PRESENTS:

Bill No. 1417

Reports of Committee on Public Works, Water & Environmental Services for November 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1212 Resolution vacating a portion of Weak Way 20 feet wide from Crystal Way to its easterly terminus in the 14th Ward, 5th Council District of the City of Pittsburgh.

Also,

No. 1276 Resolution granting unto Contrail, 425 Holiday Drive, Suite 215, Pittsburgh, Pennsylvania 15220, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a safety barrier and ground anchor heads on the right-of-way at the east of the intersection of Arlington Avenue and East Carson Street in the 18th Ward, 3rd Council District of the City of Pittsburgh.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato

Mr. Hertzberg Ms. McDonald Mr. Ferlo (Pres't)

AYES: 5 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

I'm going to wait for a couple of my colleagues to get back into the room.

At this time, I would ask the Clerk to please read this Resolution for a decision by the body. This is a appointment on the vacancy on the Human Relations Commission.

MR. FERLO PRESENTS:

No. 1419 Resolution appointing John Grice as a member of the Human Relations Commission with a term to expire April 1, 1998.

The Chair:

What is the pleasure of the body. I, personally, have now worked with John for many years. I applaud is appointment by the Mayor. To be consistent, I think we should ask him to come before the body. We may want to discuss a number of issues including the recent amendments regarding the activities of the Commission.

Is there any objection? Otherwise, we will bring Mr. Grice in either tomorrow if the schedule permits or next week.

At this time, I would ask that the Clerk communicate with Mr. Udin and invite Mr. Grice in for an interview discussion regarding his appointment to the HRC.

Moving back to the Committee on -- while a few of you were out, we did vote finally on the three bills on Public Works.

At this time, we'll move to the Committee on Lands, Building and Procurement, Councilman Hertzberg Chair.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you. All the bills did receive the necessary votes and are approved, the previous committee.

Please list that Mr. Ricciardi is voting in the affirmative on the three previous bills in the Public Works Committee.

MR. HERTZBERG PRESENTS:

Bill No. 1418

Reports of Committee on Lands, Buildings and Procurement for November 26, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1347 Resolution providing for a contract or contracts or the use of existing contracts for the purchase of three (3) compact vehicles for the Bureau of Cable Communication and providing for the payment thereof.

Also,

No. 1348 Resolution providing for a contract or contracts or use of existing contracts for the purchase of energy/facility and vehicle fleet software, training, maintenance and related equipment and providing for the payment thereof.

Also.

No. 1349 Resolution providing for the letting of a contract or contracts or the use of existing contracts, for the purchase of a fork lift for the Department of General Services, payable from Code Account 1134, Miscellaneous Services, Department of General Services and for the payment thereof.

No. 1356 An Ordinance supplementing amending and Pittsburgh Code Title Four, Public Places and Property, Article II, Communications. Chapter 427. Private Communications Systems, Section 427.01 License Requirement, Section 427.03 Definitions, Section 427.06 Length of License (b), Section 427.09 Powers and Duties of Superintendent (3). Section 427.11 Compensation for License (a), (d), Section 427.15 (a). (I), (j), Section 427.16 Use of Conduits City. Section 427.17 bv Transfers and Assignments (a), (b).

Also.

No. 1357 An Ordinance amending and supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article II, Communication, Chapter 425, Cable Communications, by raising the franchise fee for Cable Communications Systems.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

On Bill 1347 and 1348 on the Committee, I don't know what the pleasure of the body is. There was a report on TV last night. I saw Councilman Cohen regarding police vehicles. These two bills do allocate a significant amount of money for the purchase of municipal vehicles. In this case, a believe the cable I'm wondering if there's any concerns our recommital on those two bills to further discuss what the priorities are relative to the purchase of the vehicles. I know Councilman Cohen raised a concern about the police vehicle situation. There's also concerns about the EMS vehicles and whether or not there's a blaring need to put back on line some new vehicles.

I am in support of the bill, I did vote in favor of it. But, I do have a concern, just generally, about what the allegation is here and whether or not we need to better prioritize what the actual immediate emergency needs of our equipment are relative to the police, public safety and the like. I don't know what the pleasure of the body is, but I'm registering to vote for these two bills based on that issue. Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I will certainly defer to the pleasure of the body. I think that these are a separate issue from the police vehicle and equipment issue. The reason is, in the discussion with Deborah Miskovich last Wednesday, she pointed out how they are actually downsizing their vehicles by going with three compact vehicles and, then, allowing their current, I believe their vans, their current vans to be used to replace vehicles that have over 100,000 miles. I do see this as being in a positive direction.

The issue with police vehicles, of course, is a much bigger issue in dealing with a non-direction and that is we have not received those 43 police vehicles which I'd like to have a post-agenda on. I would like to schedule that with you Mr. President. I do see this as somewhat different, but I'll defer to the pleasure of the body.

The Chair:

Well, my only point was that the two bills combined, I believe, is upwards of \$100,000.00. Mr. Ricciardi, in the past, has raised the issue about whether or not when we reconfigure our fleet, whether or not we are giving away trucks and equipment that could, with a minor expenditure, be maintained for a few more year. I understand what the Director is trying to do relative to cable fleet. It's just, generally, as an issue, these are discretionary funds and to go back into the equipment leasing authority or to help pay for the municipal obligations to the fleet. So, it is kind of a policy issue about what

are the priorities for the acquisition of vehicles not withstanding the need to want to reconfigure the fleet and cable bureau. The issue is if there's a substantial issue regarding emergency fleet vehicles that are needed for the police and EMS, the issue is how are we prioritizing the acquisition of vehicles.

That's just my one concern. If it's not a concern of others, we'll move on.

Mr. Cohen:

Here's a suggestion. I think you're right with respect to Bill 1348 because that's vehicle fleets software, I believe that's across the board, that Director Miskovich is proposing to purchase. I think that probably would affect --

The Chair:

I think they're actually companion bills. I think one is a bill to purchase the vehicle and the other is actually to retrofed and to do all the extras that are need for the particular vehicles unless I'm mistaken.

Mr. Cohen:

Do you see 1348 as being just for those two vehicles or being more general? I think they're more general, Mr. President.

The Chair:

I'm not sure to be honest with you.

Mr. Cohen:

I think it is because it's the purchase of energy/facility and vehicle fleet software, training, maintenance on related equipment. I think that's across the board. Why don't we do this as a suggestion, let's pass 1347 as being separate and, then, a motion to hold 1348 until we have that post-agenda?

The Chair:

Well, the motion would be to recommit Bill 1348. What is the pleasure of the body? I have mixed emotions. I just am worried about the concern about how we're prioritizing the purchase of vehicles. I think Director Miskovich --

MR. O'CONNOR moved to recommit until tomorrow.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Under remaining bills. Hearing no other discussion, the bills are ready for final action.

All in favor of the passage of the bills, will vote aye when your names are called. If you're opposed, vote no.

Councilman Hertzberg.

Mr. Hertzberg:

Bill 1356 at the Standing Committees Meeting last week, I raised a need for an amendment. I thought you were going to propose an amendment since it was --

The Chair:

Bill 1356?

Mr. Hertzberg:

Yes. It's your legislation.

The Chair:

Yes, but if you can clarify the amendment.

Mr. Hertzberg:

Sure. Under Section 1, it's the Definition Section. Definition No. 9 makes a reference to Bell Atlantic of Pennsylvania. I think we need to make references to others that have the authorization of the PUC.

The Chair:

I, specifically, asked in response to your concern which I thought was legitimate that the Director should communicate any appropriate wording. If you have a suggestion then we can suspend the rule. If you have a general phrase that we can put in and any other appropriate entity or any other telecommunication's company --

Mr. Ricciardi:

Yes. Any other telecommunication companies after the Bell Atlanta of Pennsylvania.

The Chair:

Any other companies after the bill to this chapter.

Mr. Hertzberg:

The way it reads, it says, LATA means that geographic area and communications system in which City of Pittsburgh is located and which Bell Atlantic Pennsylvania is authorized. I think we can change that to say, in any other telecommunications companies are authorized, something.

The Chair:

Any other telecommunication companies are what? Authorized?

Mr. Hertzberg:

Authorized. Just authorized period.

The Chair:

Can you state the bill number for our colleagues?

Mr. Hertzberg:

That's Bill No. 1356, Section 1, in Paragraph 9.

The Chair:

Is there any objection in suspending the rule for purposes of adding this clarifying amending. It's not really a substance of amendment, it's a clarifying amendment because it's not, specifically, just Bell Atlantic.

Any objection? All in favor of suspension of the rules and the amendment of worded?

MR. O'CONNOR seconded the motion.

The Chair:

On the two bills which we were voting, but we'll go back to Councilman Ricciardi.

Mr. Ricciardi:

The official revenues that this bill has generated, has this already been accounted for in the budget?

The Chair:

No.

Mr. Ricciardi:

These two bills represent revenue both the line fee on the cable lines by the 13 companies and/or institutions as well as the restoration of the 5 percent cable franchise fee. Our dollars that are not represented in the preliminary '96 budget. That's actually one of the main reasons why I moved to introduced them at this time.

The Chair:

Councilman Cohen.

Mr. Cohen:

Mr. President, on Bill 1357 I'd like to repeat my strong opposition to raising the cable franchise fee. As I said last Wednesday, I believe that this will be a very misguided move on our part. By raising the franchise fee, it would make the City a partner with TCI in it's outrageous and consistent rate hikes. TCI will be raising rates early next year. We have already received word of that. That will yet again increase rates well beyond the inflation rate and if we increase our franchise fee, that puts us in a very ackward, to say the least, position. I think, frankly, a misguided and wrong position in that the City benefits from TCI's rate hikes. We should be opposing TCI every step of the way as opposed to getting into bed with them which I believe is what this bill does.

I strongly oppose raising the franchise fee. I think it was a move in the right direction to decrease the franchise fee last year so that we can retain our independence from TCI and oppose their rate increases. I think this is a wrong move.

The Chair:

Thank you. Roll call vote.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

Bill 1356 and 1357

AYES: 7 NOES: 2

The Chair:

The bills having received the legally required number of vote have been approved finally.

We do want to point out that those two bills that I introduced do take affect in January of the next budget year.

That concludes our Reports of Commissions. Moving to Motions and Resolutions, we already acting on the request to bring Mr. Grice in for an interview. I want to thank the Mayor for his appointment of Mr. Grice to the Human Relations Commission.

Are there any other matters to be brought before the body? Councilman Operato.

Mr. Onorato:

I already started it and I thought it was a good idea. Anytime we do conformation receipts, I think it's a good suggestion to bring in the Chairman of the board at the time, whoever's Chairman should be present also.

The Chair:

Thank you. I'll ask both the Director, Mr. Morrison, as well as the current Chair, Mr. Kunselman. We'll ask them both to please attend.

Councilwoman McDonald under Motions and Resolution. A general discussion.

Ms. McDonald:

This is a different matter. This is a suggestion by Councilman Udin, I'll give him credit because he's the one that thought about this. In my district and borderline Councilman Ferlo and Councilman Cohen, that's where we intersect our districts, 7 year old Jamile Hampton is a beautiful little boy who's gone now because of a hit and run driver.

One building company had put up a reward and it is suggested that this Council body also contribute. We've done this in the past. We have help contribute towards a reward to find whoever hit and left a 7 year old boy in the street dead. It's a tragedy to the community. I don't think anyone should get away with this. I think this Council body, if we're sincere about anti-crime, that we can put up whatever monies we can to, likewise, not just match, but put up some money to catch the person who did hit and left the scene of the crime for a 7 year old boy to die.

Again, this is Councilman Udin's suggestion. I would more than happy to set it up or we can jointly set it up. Again, it's a plea to -- I'm going to put some money up, I can tell you that right now.

The Chair:

I think it's a good suggestion. I would ask that we try to match at least the \$1,000.00 donation from the Pittsburgh Brewery Company. Councilman Udin then Mr. Cohen.

Mr. Udin:

I've already committed \$500.00 toward this challenge. I think that all

public officials and all corporations in the City ought to come forward and increase the amount of the award. A thousand dollars isn't a sufficient incentive in getting anybody to come forward with such a serious incrimination. So, I think we have to increase the amount. I think the whole City is really saddened that anyone could be so heartless as to hit a 7 year old child and not even slow down. Anything that we can do to help bring this person to justice, I'm willing to do.

The Chair:

Councilman Cohen.

Mr. Cohen:

Thank you. I think it's an excellent, excellent suggestion. I'll certain contribute to the pot. The terrible tragedy is made even more tragic by the cowardly act that the person who was driving that car engaged in. By leaving the scene, it was a terribly cowardly act. I also look forward to working with the law enforcement officials to make sure that we catch this guy because a beautiful young boy was killed and that person has to be responsible for it.

The Chair:

Thank you. I don't know if the driver was specifically identified as male or female or any other additional information. I presume that it's mostly likely that it's a vehicle that's in and around the Pittsburgh area including one of our neighborhoods. I would think that based on the type of vehicle there's probably strong evidence to suggest that somebody out in the community may

know something. So, I think the reward is an excellent idea and I will certainly contribute likewise. Obviously, I think all calls should be anonymous or otherwise to the police bureau as has been suggested over the media. We're just making a voluntary contribution as Councilwoman McDonald and Mr. Udin have pointed out.

I would also ask that regardless of whatever comes, because I think we have an excellent police bureau that is very well qualified to follow-up on these kinds of things and they've been very successful. If it comes to the point where this money is not actually paid out by way of an anonymous tip or an enforeman, I would strongly suggest that we donate the money to the family in light of the fact that -- God forbid that any family has to deal with the tragedy of a young child. That is not exactly something that a young family would typically budget for or have to even hope to deal with through the course of a life time. I would hope that we hopefully he able to donate this contribution likewise.

Any other discussions? Thank you. I would ask that Councilwoman McDonald assist with the City Clerk. I'll help Councilman Udin and we'll collect the appropriate revenue and contributions. I would also, as Councilman Udin pointed out, if there are other in the community that would like to enlarge this sum of money, I think it's appropriate.

Councilman Onorato then Mr. O'Connor.

Mr. Onorato:

On this same issue, I sit on the board of Crime Stoppers and there's a procedure that they use to pick and choose which case. I'll be sure to call them today to see if it's possible to have this on the next round. As anyone knows, Crime Stopper is on TV and they do give out rewards. If it is possible, I'll make sure that that's put up as a priority also.

The Chair:

Thank you. That's an excellent suggestion. I think it's definitely possible. I want you to follow-up with Mr. Cohen from Public Safety. I think both the additional \$1,000.00 from Crime Stoppers which they have at their disposal as well as the fact that it goes over the major media, I think would be helpful.

Councilman O'Connor.

Mr. O'Connor:

This, again, disturbed me greatly as it did everyone in the City. I'm concerned and I certainly want to support everyone's initiative to finding the driver. It also brought to mind what I've been really talking about for a couple of years and other members of Council. We have a speeding problem in our City. We have a traffic problem in our City. I don't think enough is being done. When we brought up the shortage of police vehicles, the vast car, we don't have vast cars. A couple of years ago on Beacon Street once a week, they were out checking in front of one of those schools there, slowing drivers down.

I'd like to see, Mr. Cohen it's your committee, I would like to see a plan and, maybe, a post-agenda about what we're willing to do about the amount of traffic and how we can control our speeding drivers especially on neighborhood streets. This is a tragedy where in the middle of our City two kids can't walk to the store and something like this happens. There's honest accidents that happen then there's speeding that I think should be prevented. There's other ways, I think we have to do everything in our power to put a control on it, whether it be young people or older people. Everybody's in a big hurry in this City. We have to slow them down.

In my district last summer, there were five children that I know that were hit by cars. Fortunately, the worse was a broken arm and you don't read about those things in the newspapers. I don't think anybody's really paying attention to it. I would certainly encourage our police to control these streets and to try to make our streets a lot safer for our kids.

The Chair:

Thank you. Any other discussion on other matters? Councilman Hertzberg.

Mr. Hertzberg:

I think you've all received invitations to a town meeting, so to speak, tonight in Mt. Washington at St. Mary's of the Mount School at 7:30 p.m. We're having a public hearing here at 10:00 a.m. on Thursday regarding a proposal to rezone Grandview Avenue. It's going to be difficult for everyone I think that wants to be heard to be able to come downtown here doing those hours. That's why I took it upon myself to schedule this meeting tonight at St. Mary's of the Mount School at 7:30 p.m. All of Council is invited to be

there. I'll be there to the extent. I understand everyone may not be able to attend. I'll try to summarize some of the remarks tonight.

The Chair:

Thank you. Any other discussion? Councilman Udin.

Mr. Udin:

Yes. I just want to take the opportunity, Mr. President, to express support for the indigoes ground swell in the Hill District to oppose the saturation of our community with billboards advertising alcohol and cigarettes. Normally, it's difficult to intervene in any kind of private commercial enterprise, but when you go through the community and one see the devastation that drugs and alcohol and cigarettes has had on young people and the entire community, and then look up at almost every single bill board another advertisement of cigarettes and alcohol, it just screams out at you that you have to do something about it. There are community members who have taken the initiative and I support them fully.

Unfortunately, we'll be having budget hearings tomorrow and I will not be able to be present. Otherwise I would be marching right with them because as we talked about when we had the Chief of Police before the budget hearing, we have to become aggressive in fighting the saturation of drugs in our communities and that includes alcohol and cigarettes which are often gateway drugs to other heavier involvement. So, I applaud the people of the Hill District who have taken this initiative and support them fully.

The Chair:

Thank you. I just want to reiterate Councilman Udin's request. Yesterday, we had 60 or 70 requests from colleagues during the budget proceedings for additional information from various city departments regarding specific information that we need in formulating the final budget. I would ask, once again, that either Director Miller or the Mayor's representative please follow-up with each department director. We need this information in the next few days as we formulate various amendments.

Any other discussion? We have a 1:00 p.m. meeting regarding employment hiring practices in the City which I believe begins at 1:00 this afternoon. And, also I believe a public hearing I think at 2:00 p.m.

With that, this Legislative Session stands in recession until tomorrow immediately following the Standing Committee Meeting so that we can deal with the two major bond issues that were presented to Council a week and a half ago.

With that, this Legislative Session stands in recess. Thank you.

RECESSED MEETING OF DECEMBER 4, 1996.

The Chair:

We are going to immediately reconvene the recessed Legislative

Meeting of yesterday. There are two Bills on the agenda.

At this time, I would ask our Clerk to dispense with the reading of the roll and we'll, basically, read the two bills.

Reports of Committee on Finance and the Budget for December 4, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1244 Resolution authorizing the incurrence by the City of non-electrial debt for the purpose of providing funds to be used in connection with the funding a portion of the City's unfunded acturial accured pension liability through the issuance of taxable and general obligation bond, Series B of 1996 in the aggregate Principle amount of \$37,710,000.00

Also,

No. 1245 Resolution increasing the Bond indebtedness of the City in complaince with the local government unit debt act by the issuance of general obligation bonds in the aggregate principle amount of \$152,535,000.00 to be used to refund the city's outstanding 1986 Series B general obligation bond.

The Chair:

You've heard the reading and titles of two bills as amended. Both bills were amended at the Standing Comittee. Is there any discussion.

Hearing none, both bills are ready for a final approval.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

NOES: none

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
(Pres't)

(4-55

Bill 1245

AYES: 6

AYES: 5 NOES: 1

The Chair:

Both bills having received the legally required number of votes have been approved finally.

That concludes our bills. Are there any other matters briefly? Councilman Onorato.

Mr. Onorato:

Mr. President, just to do a followup of yesterday's meeting after Councilwoman McDonald brought the issue up. I am happy to report that I got ahold of Crime Stoppers and on your issue of the young boy in looking for the driver of that car. For the next two weeks, they have cases already picked. So, what they said is at the latest it will be on within the next three weeks. If they can rearrange their schedules, they will. But, if it's still outstanding, it will be on within the next three weeks and they also offer a reward.

Ms. McDonald:

I want to thank you for your efforts.

Mr. Udin:

Also, on the same matter, I'll be coordinate along with trying to Councilwoman McDonald. the contributions each the of Councilmembers as well as others who've expressed interest in the general corporate and general public to increase the amount of the reward.

The Chair:

Thank you very much. Any other matter to be brought before the body?

This Legislative Session stands adjourned. We are going to be going into a public hearing which I'm going to begin at 2:00 p.m.

ADDENDUM

 Councilman Onorato;s comments -on Bill No. 1151 can be found in the Standing Committees Meeting minutes of November 27, 1996.

MUNICIPAL RECORD

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ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO......Deputy City
Clerk

Pittsburgh, PA Tuesday, December 10, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all. At this time, I would like to call on Councilman Hertzberg and ask that Honorable Mayor Tom Murphy and our Honorable State Representative and all of staff come forward.

Mr. Hertzberg:

Everyone that's joined us this morning regarding the Chartiers Creek Conservation District, would you please come forward? You can all come up forward. The microphone is not working well.

Let me go back in time about four years ago when I met down in the West End an organization of mainly bicycling enthusiasts that were looking for some form of a bike-way to go with the Port Authority Transit West Busway that's now under construction. Moving forward from there, there were plans formulated for a one mile biking path that would have called for a new bridge over Chartiers Creek. the number of concrete embankments, expensive excavation at a cost of approximately \$2,000,000.00. That whole topic was revisited, ultimately shelved and in the last couple of years, a totally new concept has emerged called the Chartiers Creek Conservation District. What we're talking about is a large piece of land and a beautiful body of water that actually starts outside of Allegheny County and runs all the way up to the Ohio River.

We're joined today, first by Mayor Murphy who's in the crowd. We also have State Representative Tom Petrone who represents the western neighborhoods as well as western part of the City of Pittsburgh in Pennsylvania. Richard Fox who's here from the State Joint Legislative Conservation Committee. We also have Ed Stuart, the Mayor of Crafton Borough. Dennis Joyce, the District Justice who's located in Crafton. We also have Tom Byers who's a Councilmember from the Borough of Crafton and who has been a undying advocate of this project. We also have Rev. Beth Seefort who is from East Carnegie in the St. Andrew Lutheran Church which is in the City of Pittsburgh, not in the Carnegie Borough. We also have Mike Lucenda also from East Carnegie, he's the President of the East Carnegie Community Council. Brooks has also joined us from Harrisburg. He is also part of the Pennsylvania Joint Conservation Committee. Legislative Mary Elm is here from the Scott Township Conservancy. Frank Patrail who is on the Ingram Borough Council. Chuck Misch who's also with Ingram Borough. He's, in fact, the Mayor of Ingram Borough. Charles Hermon who is with the Crafton-Ingram Thornburg Baseball and Softball Association. Susan O'Connell Crafton Borough Council. Betsy Martin who is on the Crafton Joint Planning Commission. Finally, Judy Thompson who is a member of the Thornburg Borough Council. think I've covered everyone that's with us today.

I'm going to get to the resolution right away and, then, we'll hear from some of the individuals that are here.

MR. HERTZBERG PRESENTS:

No. 1421 WHEREAS, Chartiers Creek flows through many communities in southwestern Allegheny County, including Carnegie Borough, Rosslyn Farms Borough, Thornburg Borough, Crafton Borough, Robinson Township, Kennedy Township, the City of Pittsburgh's 20th and 28th Wards and McKees Rocks Borough and, then, Chartiers Creek ultimately flows into the Ohio River; and,

WHEREAS, Despite the presence of pollution such as tires, barrels and mine water drainage, there are a variety of species of fish found in the creek and wildlife found nearby such as osprey, duck, raccoon, turkey, fox and deer; and,

WHEREAS, this area has picturesque wooded hillsides and is minimally developed, even though Chartiers Creek is within minutes of downtown Pittsburgh; and,

WHEREAS, the Chartiers Creek area has been used sporadically for recreational purposes, including hiking, running, bicycling and canoeing; and,

WHEREAS, Chartiers Creek, the banks of Chartiers Creek and the hillsides that form a valley around the Creek have the potential to be an exemplary conservation district; and,

WHEREAS, creation of the Chartiers Creek Conservation District would focus attention on remediation of water pollution, enhancement of the beautiful greenway around the creek and additional recreation uses including athletic fields and hiking/biking trails; and,

Pennsylvania WHEREAS. the House of Representatives Joint Legislative Air and Water Pollution Control and Committee Conservation and the Pennsylvania Department of Conservation Natural Resources, Bureau of Recreation and Conservation recently joined in the effort to create a Chartiers Creek Conservation District; and,

WHEREAS, an application for a Technical Assistance Grant from the Keystone Recreation, Park and Conservation Fund is being filed by Crafton Borough to explore the feasibility of the Conservation District, and this application has received support, through duly enacted Resolutions of Crafton Borough and other municipalities surrounding Chartiers Creek.

NOW, THEREFORE, BE IT RESOLVED that Pittsburgh City Council is in full support of the Technical Assistance Grant application of the Chartiers Creek Conservancy.

MR. O'CONNOR moved to adopt the resolution.

MR. ONORATO seconded the motion.

Which motion prevailed.

Mr. Hertzberg:

Although I am looking forward to hearing from the Mayor on this, I know he's been very supportive, I'm going to first turn to State Representative Tom Petrone who's really carrying the ball on this project now.

Mr. Petrone:

Thank you Councilman Hertzberg. It's a pleasure for me to be here and share this proclamation and to stay with all of the people assembled. It's a big day for us. This is quite an ambitious effort. It's going to be a signature piece of legislation created by the committee and the chairman of the committee, Representative David Argol.

Our members have worked a long time in trying to get this together. It's going to be a very, very good thing for the whole region including, and especially, the City of Pittsburgh. This conservation area will cover approximately 17 townships and boroughs including a large portion of the City. So, if we can do it, it's going to be the first new effort to make a district like this in the State of Pennsylvania. So, we appreciate all of the support that you're going to give us. Thank you very much.

Mr. Murphy:

I want to commend all of you for your vision here. Let me tell you a quick story about Schneley Park. Some of you might not know the history of Schneley About 100 years ago, Mary Park. Schneley offered to sale the property to the City of Pittsburgh and there was a man named Edward Bigalow who, at the time, was director of the parks. At that time, the City had, by referendum, the voters had to vote on whether they wanted to expend the money and the voters of Pittsburgh in their choose to not vote to spend the money for Schneley Park, they said let it developed. At that time, that whole area of the City was being developed much like what you see in Shadvside or Squirrel Hill. Edward Bigalow being committed as he was to the importance of that park, got on the quickest boat he could get, the quickest train he could get to New York, and the quickest boat he could get to England where Mary Schneley lived and he beat the developer by two days and convinced Mary Schneley to donate that park to the City of Pittsburgh. Of course, 100 years later, we enjoy that park and don't even think very much about what Edward Bigalow gave us. Maybe 100 years from now, people will be telling a story about you and the Chartiers Creek.

I just want to thank all of you for having the vision that recognizes that the value of open space like that, the opportunity it provides us. For those of us Alan, and I keep trying to keep up with Alan running or walkers or just people that like to go and have a little quiet place to go. The opportunity to maintain that is always difficult and it requires people of extraordinary and clearly you're all here because you have that.

Thank you very much and we'll look forward to working with you to maintain this and build it. Thank you.

Mr. Hertzberg:

So far we're experiencing just tremendous collaboration and cooperation from all of the municipalities that are involved. I want to turn next to Tom Byers who's a Borough Councilman from Crafton Borough who has definitely put in some long hours trying to get this done. He can even enlighten us a little bit on some of the unique features of the creek and the valley.

Mr. Myers:

Thank you Alan. I'm a life long resident of Crafton Borough and I grew up

along the Creek. When I was a small child, the parents of the neighborhood, one of the dictums that went out was, you're not allowed to go near the Creek. There were many reasons for that. A lot of it was industrial population, there was also raw sewage and that goes along with the mine drainage. So, it wasn't really a fit place for children to play. Of course, we all went down there anyway and that let to many of spankings. As the years went on, the Clean Water Act was passed and some of the industries moved out and the water quality has improved greatly.

When I moved back to Crafton in 1990, I was sitting out on my porch and I watching a few of the neighborhood kids go down with their fishing poles. Now, when I was an early teenager, we started going fishing down the Creek and there would be cat fish. So, I told the kids, you're going down to the Creek to catch some cat fish and the kids said, no, we're going to go down and catch some Wally. I kind of shook my head and said, in Chartiers Creek. They said, yes, there's Wally down there. Being a fisherman myself, I had to try it out and sure enough there was Wally and Small Mount Bass and a few other different species, Straight Bass and Red Tail Suckers. As a matter of fact, the last time I went fishing down at the Creek, I took State Representative Petrone with me. This was back in October and I'm not kidding you I fixed a worm horness for him, he threw it out, it hit the water, and his rod is bent over and it was no more than a minute or two. I thought that he had hooked onto a big carp and I went and got my net and my dog was out in the water trying to herd the fish into the net, but it turned out to be a 20 inch Wally. We have pictures to prove it. Right across from the Thornburg Golf Course. Needless to say, everybody else on the expedition was disheartened because it wasn't them that caught the 20 inch Wally, it was Tom. He was done for the day. He fished for a total of about 15 minutes and, then, he was off and left Randy and myself to do the rest of the fishing for the afternoon.

That's just one of the aspects of the Valley. The stream has come back. Great Blue Heron, ducks, geese, and there's also a trail that runs along the Creek there. That's what we hope to do is extend this trail. The army core of engineers built it for the Chartiers Creek. It was a flood control project and they left it abandoned for the past 15 years and we've tried to rehabilitate it. With this we hope to stretch it from Crafton all the way down through the City of Pittsburgh to the Ohio River. It's really a dream come true that we're actually here today and this is actually being done. It took a lot of bouncing around to figure out what would come about in doing this project. With the help of Tom and with the help Alan, we've really been able to go forward. Hopefully, within the next few weeks we'll have this completed. Thank you.

Mr. Hertzberg:

Thank you. I'd also like to hear from the Mayor of Crafton who's with us, Ed Stuart.

Mr. Stuart:

I grew up in Crafton. As a boy, I swam in Chartiers Creek and there are those that say that is part of my current problem. I have to tell you in all sincerity that walking along the Creek is something that is an actual spiritual thing. To have

this four miles from the point is something that I think we cannot afford to lose both for Crafton, for the City, for the County and for our children who are coming along after us. I'm so pleased and proud of Representative Petrone and Mr. Hertzberg for the work they're doing. I thank you all for the work you are doing for all of us.

Mr. Hertzberg:

Thank you Ed. Right next to Crafton is Ingram. The Mayor of Ingram is here, Chuck Misch would you like to say something?

Mr. Misch:

Everybody knows where we're at because it's always Crafton-Ingram. We're really not on the Creek itself. It would be a big help we're so close to Crafton and we have many residents that enjoy the fishing, hunting and so forth. I think it would be a great one whether you live along the creek or not. It's a very good project and would help everybody. Thanks to Tom who got us involved with it and Alan who's been on board with this. We want to thank them and we hope it goes through.

Mr. Hertzberg:

Thank you. I also have neglected to introduce two other City officials that are here, Mary Ester Vanturia from our Parks and Recreation Department and Dan Sense from our Planning Department and, actually, both of the Directors of their respective departments have walked the entire conservancy, or district that we hope will be the conservation district, approximately a year ago and I know they

were as impressed as anyone else you've heard here.

Let's see, we also have from Thornburg Borough which is also right there, Judy Thompson. Would you like to say something Judy?

Ms. Thompson:

Actually, I wear kind of two hats on this project. I'm also on the Montour Trail Council. I've been involved with Rails to Trails and I see what that has done out in Robinson Township and a lot of the Montour Run and this will be a little bit closer to home in Thornburg and it would be wonderful. There's a lot of people right in that close area to Chartiers Creek that could use this for walking and biking and hiking. So, I'm on board.

Mr. Hertzberg:

From the furtherest municipality out in Scott Township is Mary Elm from Scott Conservancy.

Ms. Elm:

Thank you Alan. As a matter of fact, I am the President of the Scott Conservancy. Alan's parents were two of our basic founders so we know where he stands on this. Just two items, I don't know if many of you have realized that the Scott Conservancy along with the Chartiers Valley School District has recently been involved, and we broke ground this week on the area called the Scrum Grass Run Mine Drainage Project. This is an area of Acid Mine Drainage from the old Nixon Mine that you may well know. With the help of the kids and public, private, federal, state, local, public-

private partnership, we are going to turn that area into a wet land by the use of what we call a path and mine drainage which basically is just two ponds that drains the iron hydroxide and it comes out 80 percent pure, so we're hoping to do that.

This past spring, a bunch of us took a canoe trip down Chartiers Creek starting in Scott Township and ending up in McKees Rocks where it goes into the Ohio River. It was really amazing to me that a Creek that goes through such an industrialized and very highly populated area can be so beautiful in part and so scenic and quiet and peaceful. It's such a great, great affect of the whole area. It's amazing to me that all these cities that it goes through. I think it would be a wonderful area to keep the Greenway area. We thank Alan and hope this goes through.

Mr. Hertzberg:

This is the present kind of procedure that State Representative Petrone is working on. He's a member of the Joint Legislative Conservation Committee in Harrisburg Chairman and State Representative name is David Argol. The plan is for them to introduce new legislation which will actually turn this into a conservation district.

We've also applied for a Keystone Technical Assistance Grant to begin the planning process. We are relying heavily on Harrisburg and the State of Pennsylvania. The Executive Director of the Joint Legislative Conservation Committee is here with us from Harrisburg, Richard Fox.

Mr. Fox:

Thank you Alan, good morning. I just want to say that I'm excited to be here. I'm here on behalf of State Representative Dave Argol, he's the Chairman of the Joint Committee and we were all here in July, toured the property, we're very excited about the project and certainly appreciate the leadership of Representative Petrone. He's been a valued committee member for a number of years and he was instrumental in getting the committee involved. We're looking forward to continually work on this and doing what we can to help the Chartiers Creek Conservancy. As Alan mentioned, we'll be looking at legislation at the state level that might be of assistance to this project and other projects throughout the state in the future.

Mr. Hertzberg:

Probably the one person that really turned the light on for me to this whole thing and introduced me to the trail that's in Crafton and the whole idea is District Justice Dennis Joyce.

Mr. Joyce:

Thank you Alan. I'm a lifelong resident of Crafton, born and raised there. About seven or eight years ago, I guess, my wife and I discovered the trail that runs along the Chartiers Creek in the Crafton area. I'll just reiterate everything that everybody has said about this area. It will be a pleasure to get it a little bit more developed so that you can walk through it without cutting through the bushes, and getting the briers and everything else. Our dogs come back with briers all the time. It's been a real pleasure for us to be able to take our two dogs and go there and it is

just a very pleasant and peaceful setting that's down there. I applaud all the work that's been put into this project and actually can't wait to see it's benefits. Thank you.

Mr. Hertzberg:

Thank you Dennis. I don't want to risk going too much longer on this. Is there anyone else who would like to speak. I think we've heard from every municipality that's present here and represented. I thank everyone for coming. I presented certified copies of the proclamation. Of course, that will be made part of the grant application in Harrisburg. Thank you everyone.

The Chair:

We'd like to thank all of you for your attendance this morning and collectively we applaud your initiative. I want to thank Councilman Hertzberg for his leadership on this important project. Thank you very much.

We have a number of other guests in the audience this morning. At this time, I'd like to call on Councilman Bob O'Connor on behalf of all of our colleagues.

Mr. O'Connor:

Bill Burke and the Burke family -- Is Smokey Hynes here?

It's an honor to have with us Bill Burke, he's the Chairman of the Officer's Memorial. His wife Marge is the President of the FOP. We have Mitch Ranosky, he's the Chairman of Adopt-a-Cop. Linda Shoulder is Burke's daughter

and the secretary and also the wife of a Pittsburgh police officer. We have Smokey Hynes and Brad Martin from the FOP.

Before I read this, you were all very, very involved, in fact, you were the founders and the doers of the Memorial for Fallen Officers over on the North Shore. It's just a wonderful memorial to our fallen officers and I hope a lot of people have an opportunity to go visit that. It was quite a tribute and one of my fondest memories since I've been on Council is being a part of that.

Project Blue Light will be starting this year and I'll read this proclamation and let Mr. Burke explain what's going on.

MR. O'CONNOR PRESENTS:

No. 1422 WHEREAS, Project Blue Light is a special event that originated in Baltimore several years ago to give the public the opportunity to remember and honor law enforcement officers everywhere who have made the ultimate sacrifice by losing their lives in the line of duty and those officers who have been maimed or disabled, often ending their career; and,

WHEREAS, Project Blue Light asks for Pittsburgh residents to display a blue light in their windows in support of those courageous public servants and their families who have lost their lives and those officers who continue to protect our neighborhoods in these troubled times; and.

WHEREAS, The Fraternal Order of Police Auxiliary, The County of Allegheny Law Enforcement Officers Memorial, President of the F.O.P. Auxiliary - Marge Burke and Pittsburgh Police Sergeant Bill Burke, brought Project Blue Light to Pittsburgh in 1992.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby support the efforts of the Project Blue Light and asks all Pittsburghers to observe this worthwhile cause.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby commend the F.O.P. Auxiliary and their President, Marge Burke, the County of Allegheny Law Enforcement Officers Memorial, Sergeant Bill Burke and Marge Burke on their continuous efforts to honor fallen comrades and declares December 15, 1996 through December 21, 1996, "Project Blue Light Week", in the City of Pittsburgh.

MR. HERTZBERG moved to adopt the resolution.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

Mr. O'Connor:

Bill congratulations and please keep up the good work.

Mr. Burke:

Once again, I'd like to thank Council for their backing. Without your backing, you made it possible for us to have the Memorial on the North Shore. It was a dream come true. This blue light that we sponsor every year is also a showing of appreciation by the City of

Pittsburgh and the County of Allegheny for all law enforcement.

When I was on the job, we would ride around at night and see the blue lights in the window and it showed support. In this day and age, law enforcement does need the support of the community. It's something that we understand as police officers, vou're behind us in the time of troubles. This holiday season I hope everybody has a happy one. I know that now that the Memorial is built, the survivors have something to show their families and friends when they come to the City of Pittsburgh. Once again, I'd like to thank everybody and wish you a happy holiday.

Mr. Ranosky:

You'll have to excuse me, I caught a cold this morning. I do want to thank everybody involved in this project Blue Light. It means an awful lot to police officers. As a retired police lieutenant, I know what is going on on the streets and I see how officers have it and this will show that the community supports them. Along with being the chairman of the Adopt-a-Cop Association, everybody says what's the Adopt-a-Cop, well the Adopt-a-Cop is where we try to get the community to sponsor police officers so that they can get bullet proof vests to wear during their tour of duty. So, we've had good support with the Adopt-a-Cop through the different communities throughout Allegheny County and we're hoping that this project Blue Light will just be as well received as the Adopt-a-Cop and also as our memorial.

Again, I want to thank the members of Council for letting us to come

here and receive this proclamation. In regards to police officers, we need to have the support of our communities in order for us to do a good job. Thank you.

Ms. Burke:

As president of the Police Auxiliary, I want to thank Council for this resolution. All I can say is as a wife of a policeman for 29 years, we just really need to come into support and have this blue light in the window to show everybody what it means. I just feel that it's a good thing and we have our light shining in our window all year around for support. Thank you.

Mr. Hynes:

Mr. O'Connor thank you. not be redundant as long as I don't have to repeat myself, I'll be alright. Thanks to Council, thanks to the City of Pittsburgh for making the property available on the North Side. And, thanks to these two gentlemen here that without their undving support and their dedication the Memorial on the North Side would not have taken Speaking for the active police affect. officer, we need the support in the community. We're looking for the support in the community. I'm one of the individuals that I have a spot light on the front of my house, it's a blue spot light. When people ask directions to come to my house, I just say look for the house with the blue spot light. Hopefully, in the coming years, I won't be able to say that because every house on my street will have a blue light. All it does is it tells the police officer that the community supports them. Without their support, we're really in trouble. Thanks again and Merry Christmas and Happy Hanukah.

The Chair:

Thank you all for your hard work. That concludes our Read and Adopted. Moving onto Presentation of Papers beginning with Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman Cohen.

PRESENTATIONS

MR. COHEN PRESENTED:

No. 1423 Resolution providing for the issuance of a warrant in favor of Maureen Cato in the amount of \$2,111.14 in payment for services provided to the Bureau of Police, Department Safety, Chargeable to and payable from Code Account COP, Bureau of Police.

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 1424 Resolution providing for a contract and/or agreement for moving the Department of Public Safety's operation on Federal Street to other locations, at a cost not to exceed \$20,000, chargeable to and payable from Code Account 1448, Misc. Services, Bureau of Police.

Also,

No. 1425 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Domestic Violence Trust Fund (DVTF), for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies for a sum not to exceed \$200,000.00, and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor, Bureau of Information Systems for any and all expenses and salaries associated with the purchase new/replacement computer equipment, supplies, software and/or communications equipment. maintenance. professional services, analysis, design, development, travel and/or training programming. services. in conjunction with feasibility, development, enhancement or implementation of automated systems.

Which were read and referred to the Committee on Public Safety Services.

The Chair:

Councilman Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cusick:

Mr. President.

The Chair:

Thank you Councilman Cusick.

Can we waive Rule 8 on that warrant so this individual will get paid before the end of the year. This money has been owed for a long time. On the first bill that you presented.

MR. CUSICK moved to waive Rule 8.

MR. COHEN seconded the motion.

Which motion prevailed.

MR. CUSICK PRESENTED:

No. 1426 Resolution transferring the amount of \$ 400,000.00 from the Special Summer Food Service Program Trust Fund, Index Code 270256 in the Department of Parks and Recreation, to Code Account 45, Health Insurance, Municipal Employees, Index Code 004507, in the Department of Finance.

Which was read and referred to the Committee on Finance and Budget.

No. 1427 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of the path around the Heron Hill Reservoir in Robert E. Williams Park to the Christopher A. Smith Walking Trail.

Which was read and referred to the Committee on Parks, Recreation and Youth Policy.

The Chair:

Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTED:

No. 1428 Resolution providing for a contract or contracts or use of existing contracts for the purchase of telephone services and providing for the payment thereof, at a cost not to exceed \$800,000.00 chargeable to and payable from Code Account 1132-2, Department of General Services.

MR. HERTZBERG move to waive Rule 8 so that it will be on the agenda tomorrow.

MR. UDIN seconded the motion.

Also,

No. 1429 Resolution providing for a contract for the purchase of a camera remote control devices and related camera equipment, and providing for the payment thereof at a cost not to exceed \$50,000.00 chargeable to and payable from the Community Communications Trust Fund (CCTF), Index Code No 250555, Department of General Services, Bureau of Cable Communications.

Also,

No. 1430 Resolution providing for the letting of a contract or contracts, or use of existing contracts, for emergency related cost reduction projects for the Department of General Services, payable from Code Account 1134, Index Code 113407, Miscellaneous Services, Department of General Services, at a cost not to exceed \$45,000.00.

Which were read and referred to the Committee on Lands, Buildings & Procurement.

The Chair:

Councilwoman McDonald, Committee on Housing, Economic Development and Promotions.

Ms. McDonald:

No new papers, Mr. President.

The Chair:

Thank you Councilwoman. Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Mr. O'Connor.

MR. O'CONNOR PRESENTED:

No. 1436 Resolution amending Resolution No. 74, effective March 1, "Providing entitled. for Agreement or Agreements and/or Contract or Contracts for the purchase of materials and equipment for renovations and maintenance of various public buildings and providing for the payment thereof", by increasing the total project allocation by \$2,500,000.00 \$150,000.00 from \$2,650,000,00, chargeable to and payable from Code Account 3-13-95-0001-96.

Also.

No. 1433 Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants. for Construction Inspection Services for various City Projects at a cost not to exceed \$150,000.00, chargeable to and payable from Code Account 96-414, 3-13-35-0010-96, Index Code #872564.

Also,

No. 1433 Resolution providing for a Contract or Contracts, or use of existing Contracts, for Construction of Handicapped Ramps in various Communities throughout the City of Pittsburgh and providing for the payment at a cost not to exceed \$200,000.00, chargeable to and payable from the following Code Accounts: \$46,757.82 from CA 4-13-30-0948-94-331-94-13 and \$153,242.18 from CA 4-13-30-0948-96-549-96-13.

Also,

No. 1434 Resolution further amending Resolution No. 876, effective January 1, 1996, as amended, entitled, "Adopting and approving the 1996 Capital Budget in the 1996 Community Development Block Grant Program; and approving the 1996 through 2001 Capital Improvement Program," by transferring \$150,000.00 from Park Recreation Program Building Maintenance to Program.

Also,

No. 1435 Resolution providing for a Right-of-Entry and Maintenance Agreement with the Pittsburgh Thermal Limited Partnership, granting the Partnership a license to install, operate, maintain, repair and remove, at its sole cost and expense, a water intake structure located on Park property owned by the City of Pittsburgh and known as Clemente Park, including one 10" intake pipe and

one 6" discharge pipe; and further providing for a Deed of Easement granting the Partnership the right to continue the construction of the said 6" discharge pipe northward in the public right-of-way to Lacock Street.

Which were read and referred to the Committee on Engineering & Construction.

The Chair:

Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTED:

No. 1437 Resolution providing for an Agreement and/or Contracts or use of existing Agreements and/or Contracts, in a form approved by the City Solicitor with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies and related activities in support of such studies including the purchase of data and data analysis equipment and training in the use of such data and equipment, at a cost not to exceed \$30,589.98, chargeable to and payable from the following accounts:

1987 "NPA" Planning & Management \$2,579.80
Department of City Planning

4-35-05-4005-87 Index No. 380337

1986 "NPA" Planning & Management 17,560.03

Department of City Planning

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

No new papers, Mr. President.

The Chair:

Thank you Councilman. Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

MR. UDIN PRESENTED:

No. 1437 Resolution providing for the transfer of funds from the Criminal Intelligence Trust Fund (CITF), to the General Fund and/or other trust funds for the reimbursement of any and all expenses and salaries associated with the purchase of new/replacement computer equipment, supplies, software and/or communications

equipment, maintenance, professional services, analysis, design, development, programming, travel and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$132,955.00.

Also,

No. 1438 Resolution providing for the transfer of funds from the COPSMORE (96) Trust Fund to the General Fund and/or other trust funds for the reimbursement of any and all expenses and salaries associated with the purchase of new/replacement computer equipment, supplies, software and/or communications maintenance, equipment, professional services, analysis, design, development, travel programming. and/or training conjunction services. in with feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$2,250,000.00.

Also,

No. 1439 Resolution providing for the issuance of a \$852.00 warrant in favor of Mark Freed in settlement of claim for sidewalk damage due to City tree roots, chargeable to and payable from Code Account No. 46.

Also,

No. 1440 Resolution providing for the issuance of a \$1,596.00 warrant in favor of Three Rivers Brewing Company, c/o Stephen Scott in settlement of claim for sidewalk damage due to City tree roots, chargeable to and payable from Code Account No. 46.

Also.

No. 1441 Resolution providing for the issuance of a \$4,866.77 warrant in favor of Duquesne Light Company in settlement of claim for property damage due to a City Refuse truck, chargeable to and payable from Code Account No. 46.

Also,

No. 1442 Resolution providing for the issuance of a warrant in favor of Patricia DiPaolo in the amount of \$1,001.00 in payment for sidewalk damage as a result of City tree roots, chargeable to and payable from Code Account No. 46.

Also,

No. 1443 Resolution providing for the transfer of funds from the Driver Simulation Trust Fund (DSTF) to the General Fund and/or other trust funds for the reimbursement of any and all expenses and salaries associated with the purchase of new/replacement computer equipment, supplies, software, and/or communications equipment. maintenance, professional services, analysis, design, development, programming, travel, and/or training services. in conjunction with feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$527,635.00.

Also,

No. 1444 Resolution providing for the transfer of funds from the Photo Imaging Trust Fund (PITF) to the General Fund and/or other trust funds for the reimbursement of any and all expenses and salaries associated with the purchase of

new/replacement computer equipment, supplies, software, and/or communications maintenance. equipment. professional services, analysis, design, development travel and/or training programming, in services. conjunction with the feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$178,000.00.

Also,

No. 1445 Resolution providing for the transfer from Non-Departmental Code Account 1, Interest on Bonds and Notes, Index Code 000109, to Non-Departmental Code Account 58-5, Police, Fire & Municipal Widows Fund, Index Code 005850, in the amount of \$130.600.00.

Also,

No. 1446 Resolution providing for an agreement or agreements with Charles J. Kolling, Legislative Consultant, for consulting services to assist the City of Pittsburgh in acquiring state assistance and funding and to work with various agencies of government for the benefit of the City of Pittsburgh during 1997, at a cost not to exceed \$30,000.00 chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services, Mayor's Office.

Also.

No. 1447 Resolution authorizing and directing the City Controller to create a special Trust Fund to be designated as the COPSMORE (96) Trust Fund (COPSTWOTF) into which trust fund there shall be deposited any and all grant monies received from the U.S. Department

of Justice. other federal/state or government agencies and authorizing the use of monies deposited into said Trust Fund for any and all expenses and salaries associated with the purchase new/replacement computer equipment, supplies, software and/or communications equipment, maintenance, professional services, analysis, design, development, programming, travel and/or training services. in conjunction with feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$2,250,000.00 payable from Code Account COPSMORE (96) Trust Fund (COPSTWOTF).

Also.

No. 1448 Resolution authorizing and directing the City Controller to create a special trust fund to be designated as the Criminal Intelligence Trust Fund (CITF), for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor, Bureau of Information Systems for any and all expenses and salaries associated with the purchase of new/replacement computer equipment, supplies, software and/or communications equipment, maintenance, professional services, analysis, design, development, programming, travel and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems.

Also,

No. 1449 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the

Driver Simulation Trust Fund (DSTF), for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor, Bureau of Information Systems for any and all expenses and salaries associated with the purchase new/replacement computer equipment. supplies, software and/or communications professional equipment, maintenance, services, analysis, design, development, programming, travel and/or training services. in conjunction with feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$527.635.00.

Also,

No. 1450 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Photo Imaging Trust Fund (PITF), for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor, Bureau of Information Systems for any and all expenses and salaries associated with the purchase new/replacement computer equipment, supplies, software and/or communications maintenance. equipment. professional services, analysis, design, development, programming, travel and/or training services. in conjunction with feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$178,000.00.

Also,

No. 1451 Resolution amending Resolution No. 759, effective October 21, 1996 to increase the sale price of Block 34 B, Lot 185, Old and Rapello Streets, Block 34 B, Lot 169, Rapello Street, and Block 34 B, Lot 160, rear Rapello Street in the 18th Ward, from \$7,200.00 to \$7,500.00.

Also,

No. 1452 Resolution amending Resolution No. 422 item G, effective June 17, 1996 to reduce the sale price of Block 113 E, Lot 51 in the 12th Ward from \$7,000.00 to \$5,500.00.

Which were read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED:

No. 1453 Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council for the month of October, at a cost not to exceed \$1,968.09, chargeable to and payable from Code Account 1003, Miscellaneous Services, City Clerk's Office, Index Code 100305.

Also,

No. 1454 Resolution authorizing and directing the Directors of Finance and the City Controller to subsidize the health insurance premiums of eligible non-union employees who retire at age 60 or older with a minimum of 20 years of full-time service until they attain the age of 65.

Also.

No. 1455 Resolution authorizing and directing the Directors of Finance and

the City Controller, to issue monthly payments to eligible employees who waive participation in the city's health insurance plan.

Also,

No. 1456 Resolution authorizing and directing the Directors of Finance and the City Controller, to issue monthly payments of \$250.00 to survivors of members of the Fire, Municipal and Police Pension Funds currently receiving less than \$250.00 per month.

Also,

No. 1457 Resolution authorizing and directing the Directors of Finance and the City Controller, to issue monthly payments of \$250.00 to widows of members of the Fire, Municipal and Police Pension Funds currently receiving \$200.00 per month.

Also,

No. 1458 Resolution authorizing and directing the Budget Director to specify certain information in the Mayor's Proposed Capital Budget.

Also,

No. 1459 Resolution authorizing and directing the Chief, Bureau of Building Inspection to review and propose recommendations concerning fees, fines and penalties.

Also,

No. 1460 Resolution Amending Resolution No. 617 of 1996, as amended by Resolution No. 826 of 1996, entitled, Resolution providing for an Agreement/s with various community organizations for operational/administrative expenses, maintenance, purchase of equipment, at a cost not to exceed \$1,155,600.00," so as to change a Project "McCandless and Leslie Park Playgrounds" (-\$20,556.00) to Golden Carriage (+\$15,000.00) and Lawrenceville Development Corporation (+\$5,556.00).

Which were read and referred to the Committee on Finance and Budget.

The Chair:

I need a motion to waive Rule 8 on these bills so they can come up tomorrow.

MR. O'CONNOR moved to waive Rule 8 on these bills.

MR. ONORATO seconded the motion.

Which motion prevails.

The Chair:

That concludes our Presentation of Papers. Moving to Unfinished Business or Reports of Special Committees. We have an appointment regarding Mr. Grice, Human Relation's Commissioner.

THE CHAIR PRESENTS:

A resolution appointing John B. Grice as a member of the Human Relations Commission with a term to expire April 1, 1998.

The Chair:

What is the pleasure of the body? We need a motion to approve.

MR. HERTZBERG moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevails.

The Chair:

Are there any other matters under Unfinished Business or Reports of Special Committees?

Hearing none, hearing to Reports of Committee beginning with the Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Mr. Udin.

REPORTS OF COMMITTEES

MR. UDIN PRESENTS:

Bill No. 1461

Reports of Committee for Finance and the Budget for December 4, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1392 Resolution providing for the transfer from Non-Departmental Code Account 1, Interest on Bonds and Notes, Index Code 000109, to Non-Departmental Code Account 55,

Policemen's Relief and Pension Fund, Index Code 005504, in the amount of \$582,061.00 and to Non-Departmental Code Account 56, Firemen's Relief and Pension Fund, Index Code 005603, in the amount of \$490,081.00 and to Non-Departmental Code Account 58, Municipal Pension Fund - Old, Index Code 005801, in the amount of \$365,046.00 for a total of \$1,437,188.00.

Also,

No. 1393 Resolution authorizing the City of Pittsburgh to issue a quit claim deed for properties in the 20th Ward, 2551-2557-2563 & 2511 W. Carson Street, designated as Block 21 K, Lots 49-54-58 & 21-P-267, to the Port Authority of Allegheny County, for the combined sum of \$6,497.00.

Also,

No. 1394 Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

Also,

No. 1395 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

Also,

No. 1215 An Ordinance directing the Allegheny County Board of Elections to Place before the qualified voters of the City of Pittsburgh a referendum Question which would supplement the City of Pittsburgh's Home Rule Charter by adding Article 9 to provide for a Police Civilian Review Board.

Also,

No. 1353 Resolution providing for the issuance of a \$14,903.17 warrant in favor of Weneeta Duvall and Marjorie Loving in settlement of claim for property damage as a result of City tree roots.

Also,

No. 1408 Resolution providing for the issuance of a warrant in favor of Annie Pettway, P.O. 99614. Box Pittsburgh, PA 15233, at a cost not to \$5,999.00, as payment professional services rendered Councilwoman Council McDonald, District 9, for the benefit of the residents of the City of Pittsburgh from July to December, chargeable to and payable from Code Account 1001-2 (100123), Salaries, Wages and Services of Council.

Also,

No. 1420 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", known as 816 Spring Garden Avenue, Council District #6, effective December 11, 1984.

The Chair:

You've heard the reading and titles of the bills, is there any discussion?

Bill 1215 regarding the Civilian Review Board Referendum had a negative recommendation. Councilman Udin.

MR. UDIN Relative to Bill 1215, motion the table.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Under remaining bills, any comments?

Roll call vote.

AYES:

Mr. Cohen Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. Ricciardi (Pres't)

NOES:

Mr. Cusick Mr. O'Connor Mr. Hertzberg Mr. Onorato

AYES: 5 NOES: 4

The Chair:

Thank you. The bill is tabled. On the other bills on the Committee on Finance and the Budget, any other comments or discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage

of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

The Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

Bill No. 1462

Reports of Committee on Housing, Economic Development and Promotion for December 4, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1373 Resolution authorizing the City of Pittsburgh to submit grant applications to, and execute relevant agreements with the Pennsylvania Department of Conservation and Natural Resources under the provisions of the Keystone Recreation, Park and Conservation Fund, and the Symms National Recreational Trails Program.

Also,

No. 1374 Resolution amending Resolution No. 149, effective March 8, 1994, as amended by Resolution No. 277 effective May 3, 1994, by Resolution No. 949 of 1995 and by Resolution No. 819 effective November 1, 1996, entitled, "Providing for the filing of a Community Development Statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1994 Community Development Block Grant Program", by reprogramming funds in the Department of Engineering and Construction and the Department of Public Works.

Also,

No. 1375 Resolution amending Resolution No. 624, effective August 16, 1996, entitled "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1996 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required

assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories", so as to transfer funds from the Department of Public Works to the Department of Engineering and Construction.

Also.

No. 1376 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application to the Commonwealth of Pennsylvania for a grant in the amount of \$2,500,000.00 for the Pittsburgh Technology Center Expansion, Technology Business Incubator Project.

Also,

No. 1377 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$2,500,000.00 in private funds for the Pittsburgh Technology Center Expansion, Technology Business Incubator Project as the local share for a grant applied for an application for funds filed with the Commonwealth of Pennsylvania.

Also,

No. 1378 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application to the Commonwealth of Pennsylvania for a grant in the amount of \$1,000,000.00 for the Pittsburgh Regional History Center Project.

Also,

No. 1379 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$1,000,000.00 in private funds for the Pittsburgh Regional History Center Project as the local share for a grant applied for in an application for funds filed with the Commonwealth of Pennsylvania.

Also,

No. 1380 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application to the Commonwealth of Pennsylvania for a grant in the amount of \$2,500,000.00 for the Pittsburgh Technology Center Expansion, LTV South Side Works Project.

Also,

No. 1381 Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh providing for the designation of \$2,500,000.00 in private funds for the Pittsburgh Technology Center Expansion, LTV South Side Works Project as the local share for a grant applied for in an application for funds filed with the Commonwealth of Pennsylvania.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

On Bill 1373, regarding the City's request to the state on a Keystone Fund for various projects involving our parks, I want to thank personally and let the record show reflect thank you to Director Hirsh

and the other staff that worked on these applications. I'm particularly thankful for one of the proposed funding and that is to develop a master plan, site plan production for the four regional parks including Highland Park, Riverview, Frick and Schneley. There was work done in the past on the master plan at Schneley. It has not happened in the other three parks. I think this is, particularly, important given Council's debate in the last couple of years about the one percent of the funds that goes towards capital infrastructure repairs in these four regional parks in addition to the program reimbursement to the City operating budget. So, if we're going to do that, I think we need to prioritize what are the actual capital needs and I hope, and I know, this will be the case that the Administration will work with this Council as well as the various community organizations and park enthusiasts who are very active and very aware of what the glaring needs are in our four regional parks. So, I'm very supportive of this. I'm also concerned and want to be kept in informed, as I think we all do, about how are involved in the actual implementation of the master plan including the many constituents we represent. I just want thank Director Hirsh.

Any other discussion? Councilwoman McDonald.

Ms. McDonald:

I just want my comments brought forward on Bill 1378 and 1379.

The Chair:

Thank you. Any other discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bills having received the legally required number of votes have been approved finally.

Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTS:

Bill No. 1463

Report of Committee on Lands, Buildings and Procurement for December 4, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1348 Resolution providing for a contract or contracts or the use of existing contracts for the purchase of energy/facility and vehicle fleet software, training, maintenance and related equipment at a cost not to exceed \$100,000.00.

The Chair:

You've heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes have been approved finally.

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Mr. O'Connor.

MR. O'CONNOR PRESENTS:

No. 1464

Report of Committee on Engineering and Construction for December 4, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1382 Resolution providing for an Agreement or Agreements or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts for the Reconstruction of Fifth Avenue, Phase II from Smithfield Street to Liberty Avenue and for Construction Inspection Services for said project at a cost not to exceed \$8,000,000.00.

The Chair:

You've heard the reading and title of the bill, is there any discussion?

Again, I want to thank Director Reginald on this bill. Particularly the comments made by the Director in relation to the Fifth Avenue Reconstruction Project in the block where Lazarus will be built. I want to make sure that we be mindful that he made a commitment to us that they would try to mitigate a lot of the construction activity with possible construction hours into the evening hours as well as throughout the weekend.

Possibly closing a portion of Fifth in order to facilitate the work. I just want to thank him for being creative and working with the property owners in trying to address a difficult mass of construction plan. Given the fact that Lazarus will be undergoing a lot of work, demolition as well as construction. the whole block. \$8,000,000.00 is being spent here for a major remake of the Fifth Avenue promenade. I just want to thank the Director for his good work on this point.

Any other discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

The bill having received the legally required number of votes is approved finally.

That concludes our Reports of Committees. Under Motion and Resolutions, I want to remind our colleagues that we have a public hearing at 2:00 p.m. regarding some rezoning and conditional use from Duquesne University at the Fisher Scientific Building and property as well as, I believe, Councilman Cohen immediately following this session,

is hosting a post-agenda regarding police vehicle and condition. Do you want to speak about that now.

Mr. Cohen:

Right after the meeting just as you said we'll go right into a post-agenda on the issue of police vehicles and equipment. Those issues that President Smokey Hynes raised at our Police Bureau Budget Hearing.

The Chair:

I hope Director Miskovich will be here as well as the Police Bureau.

Any other comments or concerns? Councilman Udin.

Mr. Udin:

behalf of Councilwoman On McDonald and myself, I'd like to thank members of Council who responded to our request to increase the amount of the reward. Because of Council action, the reward was increased another \$1,000.00. I'd also like to thank the members of the police department for putting up an additional \$1,000.00 reward. I would also like to thank Councilman Onorato for approaching the Crime Stoppers project and getting a reward from them and also having them to facilitate the handling of the reward contributions from other sources.

I still think that \$3,000.00 is insufficient to get the response that we need. I would like to see it, at least, go to \$5,000.00. I would, again, encourage members of the corporate community to assist in this effort and increase the

amount of the reward and making sure we bring this person to justice. I know everyone's heart was torn by the face of that young kid on the front page of the newspaper crying for his lost brother. If we can help heal the wounds of that family by bringing this person to justice, we ought to do it. We can't let it fade from our memory. Thank Mr. President.

The Chair:

Thank you Councilman. Any other discussion?

Hearing none, I'll entertain a motion to adjourn.

MR. UDIN seconded the motion.

The Chair:

Thank you. This legislative session stands adjourned.

ADDENDUM

 Councilwoman McDonald comments on Bill 1378 and 1379 can be found in the Standing Committees Meeting minutes of December 4, 1996.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

VOL. CXXX

December 17, 1996

No. 48

Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO.....President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, December 17, 1996

PRESENT:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Will you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased this morning to have a young student, Rema Hord, she's in the seventh grade. She's an honors student at Milliones Middle School in Councilman Udin's District. Her teacher has accompanied her this morning, thank you.

Rema Hord:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with Liberty and Justice for all.

The Chair:

Thank you Rema. We appreciate you and your teacher for coming down here this morning. We want to wish you a happy holiday and a Happy New Year. Our City Clerk will present you with a flag of our great Nation and a flag of our City. Thank you very much.

We have a number of guests in the audience this morning. At this time, I'd like to call on Councilman O'Connor for proclamation.

Mr. O'Connor:

Read into the record.

MR. O'CONNOR PRESENTS:

No. 1465 WHEREAS, Roger D. Beck was born on December 16, 1936, the son of Henry and Myrtle Beck; Roger is often described by his friends and family as an extremely honest, orderly and professional individual; and,

WHEREAS, Roger and his lovely wife Carol were married on June 21, 1958, enjoying each others love and support, their family has grown to include two beautiful daughters, a handsome son and two delightful grandchildren; and,

WHEREAS, Roger's family order and success is duly equaled by his success as a respected professional in not only the City of Pittsburgh, but, throughout the United States of America and Europe. After many years of dedicated service as Vice President of Customer Services Group & Vice President of Engineering and Construction Division with the Duquesne Light Company, Roger is entering the golden territory of sixty years of age. Prior to his Vice Presidencies, Roger was Manager of the Public Information Department & company spokesman. Preceding his time with Duquesne Light, Roger worked for Hubbard & Co., & American Bridge/United State Steel. Roger also serves as member of the Board of Directors on the Greater Pittsburgh Chamber of Commerce. Western Pennsylvania Committee, Olympic Pittsburgh History Landmarks and Foundation and many more. He also is a member of various fraternal, charitable and social organizations, such as the Glen Iron Volunteer Fire Company & the Union County Sportsman's Club; and,

WHEREAS, Roger can generally be found in one of the five places; Sleeping in his favorite leather chair at the Rivers Club, sampling the best of foods and wines at the Duquesne Club's Shakespearean table, deftly studying the clarity on his enormous Sony television, Farming the fields on his antique tractor at he and Carol's summer cottage or snoozing in his dressing room after a long

evening at his favorite dinning establishment. Rico's Restaurant.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate Roger on his 60th birthday and beginning his retirement preparation.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare December 16, 1996, as "Roger D. Beck Day" in the City of Pittsburgh.

MR. UDIN moved to adopt the resolution.

MS. MCDONALD seconded the motion.

Which motion prevailed.

The Chair:

Councilwoman McDonald.

MS. MCDONALD PRESENTS:

Would representatives from Neighborhood Legal Services come forward to accept a resolution.

While they're walking up, I wanted to ask all of my colleagues, unfortunately I was out of town yesterday and we were not able to lobby everyone yesterday to ask for Council support for this resolution. I wanted this to be on part of all of City Council since it is Neighborhood Legal Services. So, Mr. President how would you like me to precede? I would like all names to be on here.

The Chair:

We can always amend it later on.

Ms. McDonald:

This will be amended to reflect all colleagues as sponsors unless anyone takes exception to it.

This is for Neighborhood Legal Services.

No. 1466 WHEREAS,
Neighborhood Legal Services Association
(NLSA) is a private, non-profit
corporation established in 1966 to provide
legal services in civil cases to low-income
people, and

WHEREAS, Neighborhood Legal Services Association was one of the first legal services programs established in Pennsylvania, and

WHEREAS, Neighborhood Legal Services Association serves residents of Allegheny, Beaver, Butler and Lawrence Counties with a staff of 56 attorneys, paralegals and support personnel, and

WHEREAS, in its 30 years of service to the low income communities in Allegheny, Beaver, Butler, and Lawrence Counties, Neighborhood Legal Services Association has helped more than 450,000 victims of domestic violence; senior citizens exposed to fraud, abuse and neglect; families unjustly evicted from their homes; people facing unemployment and possible homelessness; and thousands who have depended on government assistance for health care, education, and food.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and commends Neighborhood Legal Services Association for their contributions to the citizens of Pittsburgh and Allegheny County and further congratulates the management and staff on thirty years of dedicated services to low income people in need of civil legal services.

MR. ONORATO moved to adopt the resolution.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

Ms. McDonald:

Again, it is an honor that you all have been in existence for 30 years despite budget cuts and everything. We need to really make sure that we rally around such an entity as the Neighborhood Legal Services at all times because they represent people who others will not ever represent. They need the help and they can't afford high priced attorneys for some of the unfortunate obstacles that come their way that all of us, oftentimes, take for We have the resources, the education and the back ground to pursue something legally or otherwise and there are many in the City of Pittsburgh who don't have those resources or technical expertise.

Again, this is a resolution that says we cannot take what we do and what we're given for granted and support those institutions and entities that do help those who, unfortunately, will never take it for granted because problems face them everyday and they do need the help. So, again, I want to thank Bob Rucunis and Michelle Cole.

Michelle who deferred to Bob is the Director of Planning and Bob Rucunis is the Executive Director. Bob, thank you very much.

Mr. Rucunis:

Thank Councilwoman you McDonald for all of your support and for this proclamation. Thank you President Ferlo for your support in the past and all of the members of Council today and in the past years. We're proud of the work we have done over the past 30 years for the low income residence of the City and the surrounding area. We've served nearly a half million persons in those years who otherwise would not have been able to have access to the justice system on the civil side. It was very appropriate, I thought, that we started today's meeting as you always do with the Pledge of Allegiance. I don't think it's said often enough, but certainly to focus in as we concluded with Liberty and Justice for All. As the caption on the Supreme Court Building says, equal justice for all is the cornerstone of our democracy and I thank you for your support.

The Chair:

Councilman Onorato.

MR. ONORATO PRESENTS:

Sergeant Michael Brown, would you come forward please. I don't think I have to introduce Mike, everyone knows his face and I think the timing is great because of the discussion we just had with the young boy that was killed in trying to raise money to find the hit and run driver and Crime Stopper playing an important role in that particular fund raising effort.

I want to read the proclamation and then we'll hear from Mike.

No. 1467 WHEREAS, Sergeant Michael F. Brown worked for Pittsburgh Crime Stoppers from the initial planning, formation, and incorporation of the organization in 1988, and

WHEREAS, Sergeant Brown served as the Coordinator of Pittsburgh Crime Stoppers from July, 1988 until June, 1996, and

WHEREAS, Sergeant Brown diligently struggled to establish the Crime Stoppers Program. He constantly worked to make the public aware of the program and its mission and worked to acquire contributions to keep the program up and running, and

WHEREAS, Sergeant Brown fought to ensure that the Pittsburgh Crime Stoppers program accomplished its purpose, encouraging the public to report information on crimes so that the persons who committed these crimes might be apprehended, and

WHEREAS, Sergeant Brown built relationships with local television stations, found sponsors for the program so that it could be on television every week, and personally developed and appeared in each Crime Stoppers segment. Sergeant Brown had a significant following among the public who knew and admired him as Crime Stoppers Coordinator and both the Pittsburgh Police Bureau and the City of Pittsburgh were extremely well represented by Sergeant Brown, and

WHEREAS, during Sergeant Brown's tenure, almost \$100,000 in contributions was raised, more than 700 cases were cleared, nearly 300 arrests were made, and approximately \$56,000 in rewards was paid out to 164 private citizens, all through tips to Pittsburgh Crime Stoppers. Much of the credit for these impressive results belongs to Sergeant Brown.

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh hereby commends Sergeant Michael F. Brown for his service to the City with the Crime Stoppers program and wishes him every success in all of his future endeavors.

MR. UDIN moved to adopt the resolution.

MR. COHEN seconded the motion.

Which motion prevailed.

Mr. Onorato:

Let me just say before I give the mike to Mike that one, I serve on the Crime Stopper's board so I saw Sergeant Brown in action. I can tell you that Crime Stoppers and Sergeant Brown, you couldn't separate the two, they were both one entity. Crime Stoppers is only successful because of what Sergeant Brown has accomplished. I also know Sergeant Brown as a constituent, he lives on the North Side and I know him as an individual. He's a great person, he has a great family, and is committed to the City of Pittsburgh more than anyone that I have come across. I think it has been a great loss for the Crime Stoppers to lose Sergeant Brown because of what he accomplished. The amount of money that goes through this program and the amount of money that we raised and committed to the program, is directly contributed to Sergeant Brown. I want to thank Sergeant Brown more recently even though he was not there because of his transfer, but because of the program he established, it allowed us to get a \$1,000.00 donation for reward to help find that individual in the hit and run. Once again Mike, you legacy of the Crime Stoppers, I think is going to be here for a long time. I want to personally thank you.

Mr. Brown:

First, I'd like to thank all the members of the Council for this resolution and, specifically, I'd like to thank Councilman Onorato for his continued support of the program and I wish you all well in the future. Thank you very much.

The Chair:

Are there any other Proclamations or Resolutions?

I believe that concludes our Proclamations and guests that we have in the audience. Moving to Presentation of Papers and beginning with the Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman Cohen. If there's no objection, if we can have a motion to waive Rule 8 on all bills just to get them in since we're all going to be meeting for a couple of more times, after we read Mr. Cohen's bill.

PRESENTATIONS

MR. COHEN PRESENTED:

No. 1468 Resolution authorizing the transfer of an aggregate total of \$64,329.00 from various EMS Code Account. Code Account 1421. Miscellaneous Service, \$27,255.00, Code Supplies/Materials. Account 1422: \$16,336.00. Code Account 1423: Equipment, \$22,768.00 and Code Account, 1424, Uniforms, \$8,000.00 to the Emergency Medical Services Trust Fund, Code Account EMSTF.

Also,

No. 1469 Resolution authorizing the transfer of \$220,000.00 from Code Account 1443, Salaries and Wages to Code Account 1450, Equipment, for the purchase and installation of operational equipment for the Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on Finance and Budget.

Also,

No. 1470 Resolution providing for Contracts and/or Agreements to purchase and install police operations equipment, at a cost not to exceed \$220,000.00, chargeable to and payable from Code Account 1450, Equipment, Bureau of Police, Department of Public Safety.

Which was read and referred to the Committee on Public Safety Services.

The Chair:

Councilman Cusick, Committee on Parks, Recreation and Youth Policy.

Mr. Cusick:

No new papers, Mr. President.

The Chair:

Thank you Mr. Cusick. Councilman Hertzberg, Committee on Lands, Buildings and Procurement.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTED:

No. 1470 Resolution authorizing and directing the Mayor or the Treasurer of the City of Pittsburgh to enter into an agreement with the URA to administer all of the principal and interest payments received from the Lazarus UDAG.

Which was read and referred to the Committee on Housing, Economic Development and Promotion.

The Chair:

Councilwoman McDonald, Committee on Housing, Economic Development and Promotion.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTED:

No. 1472 Resolution transferring the amount of \$3,000.00 from Code Account 1001-2, Salaries, Wages & Services of Council to Code Account 1001-1, Miscellaneous Services Supplies, Equipment, etc., City Council.

Which was read and referred to the Committee on Finance and Budget.

MS. MCDONALD motion to waive Rule 8 so it can be heard on tomorrow's agenda.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

I want to make that a motion to waive all bills for tomorrow.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

Councilman O'Connor, Committee on Engineering and Construction.

Mr. O'Connor:

No papers.

The Chair:

Thank you Mr. O'Connor. Councilman Onorato, Committee on Planning, Zoning and Land Use.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Mr. Onorato.

MR. ONORATO PRESENTED:

No. 1473 Resolution approving a conditional use exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, as amended to Riverview Terrace Partnership. Housing L.P., authorization to convert the existing fourstory structure located at 2829 Bedford Avenue into 36 dwelling units for the elderly and 1 unit for a resident manager, parking to accommodate automobiles, on property zoned "R4" Multiple-Family Residence District, 5th Ward.

Which was read and referred to the Committee on Planning, Zoning and Land Use.

The Chair:

Councilman Ricciardi, Committee on Public Works, Water and Environmental Services.

Mr. Ricciardi:

No papers, Mr. President.

The Chair:

Thank you Mr. Ricciardi. Councilman Udin, Committee on Finance and the Budget.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman Udin.

MR. UDIN PRESENTED:

No. 1474 Resolution providing for the issuance of a \$5,300.00 warrant in favor of American Rent-A-Ride, c/o Michael Yurechko in settlement of claim for a City leased vehicle returned damaged, charging same to Code Account No. 46, Judgments.

Also,

No. 1475 Resolution providing for the issuance of a \$1,320.00 warrant in favor of Richard Ross in settlement of a claim for sidewalk damage due to City tree roots, charging same to Code Account No. 46, Judgments.

Also,

No. 1476 Resolution providing for the issuance of a \$2,000.00 warrant in favor of National School Bus Service, Inc. in settlement of a claim for an accident involving a City EMS vehicle, charging same to Code Account No. 46, Judgments.

Also.

No. 1477 Resolution providing for the issuance of a warrant in the sum of \$4,800.00 to Richard Anderson, Jr.,

Richard Anderson and Nancy Anderson, c/o Dennis A. Uram, Esquire, 900 Broadway Avenue, McKees Rocks, PA 15136, in full and final settlement of the action filed at GD85-16741 alleging personal injury related to a sewer lid at the intersection of Cake Way and Casement Street on or about September 25, 1985 and charging the same to Code Account 46, Judgments.

Also,

No. 1478 Resolution providing for the issuance of a warrant in the sum of \$4,900.00 to Anthony James c/o Robert B. Truel, Esquire, Truel and Ploeger, 901 Grant Building, Pittsburgh, PA 15219, in full and final settlement of the action filed at GD93-3141 alleging personal injury due to a slip and fall on Fairywood Street on or about September 8, 1991 and charging the same to Code Account 46, Judgments.

Also,

No. 1479 Resolution transferring the amount of \$1,000.00 from Code Account 1001-2, Salaries, Wages & Services of Council to Code Account 1001-1, Miscellaneous Services, Supplies, Equipment, etc., City Council.

Also.

No. 1480 Communication from Barbara M. Parees, Director of Personnel and Civil Service Commission, requesting approval for John Turyan, Chair, Pittsburgh Private Industry Council (PIC), to travel to Harrisburg, Pennsylvania January 8, 1997 to attend the meeting of the Chairs of the 28 Private Industry Councils (PICs). Mr. Turyan is not a City employee, at a cost not to exceed \$760.00.

Which were read and referred to the Committee on Finance and Budget.

THE CHAIR PRESENTED:

No. 1481 Resolution providing for a warrant in favor of Lexis-Nexis in the amount of \$1,542.55 in payment for computer user research services for City Council for the month of November, 1996, chargeable to and payable from CA 1003, Miscellaneous Services, City Clerk's Office.

Which was read and referred to the Committee on Finance and Budget.

The Chair:

That concludes our presentation of papers. Are there any matters under Unfinished Business or Reports of Special Committees?

Hearing none, I'm going to move to the Reports of Committees beginning with the Committee of Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman.

We have one bill, Bill 1388 which had a negative recommendation, the Committee Session.

REPORTS OF COMMITTEE

MR. UDIN PRESENTS:

Bill No. 1482

Report of the Committee on Finance and the Budget for December 11, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with a negative recommendation.

No. 1388 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 243, Business Privilege Tax, Section 243.03, Computation of Tax by amending subsection (a)(1) to increase the level of tax exemption for Business Privilege Tax.

The Chair:

You have heard the reading and title of the bill, is there any discussion? This is on Bill 1388 the Clerk read.

I'll start it off. I don't want the building to fall in or tremble, but I'm changing my vote on this bill and it's unusual that I change my opinion as you know. I've changed my position for a couple of reasons.

First of all, I did have a discussion with the His Honor the Mayor. The Mayor feels strongly about the issue of the symbolism of this tax and I have said all along that I found the tax to be orneriest, but I'll also make the point that everybody who pays a tax in this City regardless of who pays, it's an orneriest tax. I think there is a strong argument to be made following up on Councilman Onorato's leadership a year ago where he created the initial exemption of \$10,000.00 which

primarily had individual property owners who probably had a small amount of income from rental income either one apartment or a so-called mother-in-law's house in the backyard like in Lawrenceville, it was a small amount of income. That burden of paying the tax was removed. The proposal here is to raise that exemption not from the \$10,000.00 but upto the \$20,000.00.

One of the goals that I had in the last couple of weeks was for this Council to create revenue for a glaring oversight and that is some consideration for widows and survivors which is a several hundred thousand dollar cost item. All of this Council was unanimous in their appreciation and support for that. In the past, we had a difficult time resolving that because of the needed revenue that was needed to fund that. We've resolved that with the additional income.

The additional income being a number of points. We've all collectively signed off on increase, or at least restoring the cable franchise fee, which was a significant amount of money. The cable line fee was increased which is a significant amount of money. We have vet to resolve whatever the garbage fee vote ends up to be next, it still is additional income that was not originally budgeted beyond the \$250,000.00 Administration. We also gave a 3 percent increase to BBI and received additional income next year for all sorts of licensure fees including mechanical devices. What I'm basically contending here is the bottom was the consideration of secure funding for the glaring disregard for the widows and survivors of police, fire municipal. We've resolved that. The symbolism of the cut, I think can a draw.

The Mayor makes a strong point. feels, if you listen to his argument, that while the overall goal has to be to reform the tax, either changing the computation of Business Privilege from the gross to the net or actually reducing the actual \$6.00 on a \$1,000.00 rate to a lower rate with the understanding from legislature that we will have some replacement income. We're not at that point yet. He feels strongly. He wants the symbolism of the message associated with the exemption. I'll give him the benefit of the doubt on this provided that there's support on widows and survivors and there's support for this Council increasing the revenue line items as we have to date with the final votes.

The cable franchise additional revenue which is over \$400,000.00, the cable line fees which is a couple hundred thousand, the garbage fee which is a couple hundred thousand above what was budgeted for '97, and the increase in the BBI licensure fee. So, for that reason, I'll give the Mayor the benefit of the doubt.

Councilman Ricciardi.

Mr. Ricciardi:

President. Thank you Mr. Yesterday, the national media reported that two out of every three jobs are created and retained by small businesses here in the United States. I really believe that those numbers probably parallel our City. The way I view this is that I really believe that this is a catalyst for employment here in the City of Pittsburgh either to retain or create new jobs since small businesses have really taken the lead or the initiative in producing employment. So, obviously, I'm voting for this. If it's going to be even a small help for businesses, I think it's very good. I see this as an employment bill and I'm very proud to vote for it today. Thank you.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

I, too, will be supporting you and the Administration. I think it's a step in the right direction. Although it's a very, very small step, I don't believe people realize that it's only \$1.00 per week for every business in the City. impressed that it did help 2,000 small companies that made less than \$20,000.00. That's the only reason I'm supporting this. Also, the other reason, the TCI as you mentioned, the cable and the trash pick-up money and Mr. Onorato has found, revenues of \$552,000.00 to supplement the budget. I think clearly that we do need tax reform. I don't think any business is coming into the City for \$60.00 a year savings, but I think it may wake us up and the leadership in this City to go to Harrisburg to try to have tax reform so that we can really make a dent that business will come to Pittsburgh.

The Chair:

Thank you Councilman, Councilwoman McDonald.

Ms. McDonald:

Not only would I like to have my comments brought forward, but I'd also like to add some additional comments. It is very obvious that this Council body is in unison to vote for this. Obviously, there's been some strong lobbying going on. I

still feel and I very strongly feel that it is really a bunch of nonsense, \$60.00 is not going to draw businesses. Councilman O'Connor knows full well himself as a businessman and that's what he just said. One dollar a week is nothing, it's a drop in I think that the proper the bucket. procedure would have been, instead of having a knee jerk window dressing reaction to attracting businesses, that we actually convene a group and have them fully investigate this and come up with a long range solution. Something that is truly going to attract businesses here that is actually going to help the smaller businesses. Again, \$60.00 is really not going to do it not when other services are being cut back. Again, to me, it's going to be a wash if anything.

I do have to correct one statement is that there is not going to be money from the revenues from restructuring the fees for garbage collection because I had just talked to Councilman Cohen about the real revenue that we will see. We will not see any real revenue, indeed we'll probably have to restructure the refuge collection set-up just to make sure we have \$250,000.00 in the budget. So, you're not going to get it from there. I will go along with this Council body, but I will sent a message out that we really do need to truly think through this process. I know that there's a task force convened. I don't think they've completed the proceedings. I don't think they've come up with a final report or a final recommendation that is But, in the meantime, if meaningful. something happens suppose because we're cutting back and it's cost us half a million and people start to feel the pinch, I want to point right over to the other side of the Don't tell me, everyone was hallway. pushing for a cut in the Business Privilege Tax and a \$500,000.00 will indeed hurt some kind of way, directly and indirectly. But, I'll go along with this Council body if that's the will of the Council and that's the will of the Administration, I'll go along with it. I would just hope that it does not impact very negatively upon other folks, upon services. It's just a look and see. In the meantime, we have to get busy and really do something meaningful with this Business Privilege Tax.

The Chair:

Councilman Hertzberg.

Mr. Hertzberg:

Thank you Mr. President. I'd like my comments brought forward from last meeting, without repeating them over again in detail. As you've stated Mr. President, this tax, every tax, they're all orneriest. But, again, I believe this to be the most orneriest of all the orneriest taxes. I think that the maxim is saying that perception is reality is what we're doing here, the perception that it cost more to do business in the City of Pittsburgh is something we need to stay on top of and keep fighting. I think the end result as we keep going in this battle to try to grow this City, to try to increase our revenues by businesses attracting and attracting residence. I think the end result is going to be a positive impact on the revenue and not a negative result.

The Chair:

Any other comments? Councilman Onorato then Mr. Cohen.

Mr. Onorato:

First of all, I think after seven days between preliminary vote and the final vote and we have time to think about these issues and I'm glad to see that we might have unanimous support or a large majority. I, being the sponsor of the first \$10,000.00 exemption over a year ago, I of the have full support \$10,000.00, I wish we were going upto \$50,000.00. Obviously, I believe this is much more than a symbolic gesture, it's more than \$60.00, it's \$120.00 if you add both exemptions together. But, it's even more important than \$120.00 company, it's about given 60 to 70 percent of all tax pavers of this particular tax a total exemption. That's how many small businesses that are in \$20,000.00 range of annual revenues.

One thing we've talked about here and debated here over and over again every proposal that comes in front of us, is that should we be given big breaks to keep big businesses in town. We support that. This is one of the few times, we have an opportunity to go to the little guy and say we recognize that you're paying the tax. We can't get caught up in thinking that this is only \$120.00, you have to look around. The municipality surrounding Pittsburgh is zero. It's the nuisance of filing the annual tax return, it's the nuisance and insult of having to pay tax on your gross as opposed to your net, it's the nuisance of having to deal with the City bureaucracy, and it's the easy escape route to go a mile down the road and pay nothing and file no returns and to keep all of your gross coming in and not paying municipality anything because that's the reality of the business climate that we're in. I think that this is a good move.

I think this goes with the concept of growing the City. I think it goes to the strategy of taking \$7,000,000.00 annually from the rad and putting it into the development fund because we bit the bullet, not just the Mayor. We did it unanimously and approved philosophy that we believed that we should have a development fund and not just waste \$7,000,000.00 a year in the operating budget but to actually come up with \$50,000,000.00 so that we can grow the City. This is no different from that philosophy. If anyone thinks that this is just a token gesture, you can make the same argument that why don't we raise the tax on everybody in the City of Pittsburgh \$10.00 because it's only \$10.00 a year and it's less than \$1.00 a day. I would never support that argument to raise the tax. That's why I don't support that argument to vote against an exemption. This is very, very critical to these small businesses.

With all due respect to my colleagues that do have business backgrounds. I, too, have a business background in both auditing firms as a CPA and dealing with a law firm and I can tell you that both of those types of firms pay this tax and there's a lot of sole priorities in that industry along with a lot of other industries that pay it.

As we move to the electronic age and law firms and other firms no longer have to be next to the court house to file papers and they can do things through the fax machine. I can guarantee you that you're going to see companies fly out of here of all sizes because there's no reason to be in downtown Pittsburgh anymore with electronic age. The only way we're going to compete is to have an equal playing field and let the free market place

dictate where businesses should go. If we continue to put up these artificial barriers, we're going to continue to see the businesses flee out of the City.

So, I applaud my colleagues who are supporting this. I believe it's definitely a move in the right direction. I hope next year we have the ability to increase the exemption more, but more importantly, I hope that we can come back here next year and totally repeal the Business Privilege Tax and have total replacement of \$36,000,000.00 from Harrisburg in tax reform. I sit on the committee with Councilman Udin and several members of the Administration and I know that's our goal, by December of 1997 to at least have in play the plan to totally eliminate the \$6,000,000.00 million on everyone and to have total replacement from Harrisburg. I think that's what everyone here wants so I hope we achieve that in the next 12 months. Thank you.

The Chair:

Thank you Councilman, Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I agree with Councilwoman McDonald who said that this is not a large amount of money, she's not, it's not. We should be honest and realistic about that. But, I do think that it sends a large message and that message is that we need to grow this City, we need to do everything we can to scrimp and scratch and stretch to be able to develop this City and that includes developing it on all fronts whether that be building new neighborhoods like Nine Mile Run or whether that be Riverfront

Development or whether that be Business Development because as the Mayor often says, we have to manage growth instead of managing decline. I'm happy to see some of these late hour conversions because I think that if this Council sends a message as either an unanimous Council or a large majority that we agree with developing this City and growing this City, then that will make it even better yet. Thank you.

The Chair:

Thank you Councilman Cohen, Councilman Udin.

Mr. Udin:

Thank you Mr. President. I'm not sure whether I want to watch legislation or sausage, I think I'd rather watch sausage. As you know, Mr. President, I sit on the task force that the Mayor has appointed to look at the Business Privilege Tax and find ways of either reforming it or amending it or replacing it and I take that task very seriously. I look forward to the coming meetings of that task force when we will be able to recommend a comprehensive tax restructuring in the City rather than a piece mill approach to biting off of a piece of a tax here and biting off a piece of a tax there. That's what create the kind of ugly politics that people destine. So, we have to continue to work hard.

I think that the point that the President makes about the symbolism of the tax, I think that symbolic message was made when we exempted the first \$10,000.00. It will be made again when we exempt the second \$10,000.00. But, I would hope that the next step that we take is a comprehensive one and not just another bandaid. I will be supporting the

bill today. I think that it is another symbolic message that Council is able to demonstrate an unanimous support of business. But, we have some very hard times ahead of us. We're asking some sectors of the community to pay additional costs and fees while others are getting breaks and we have to come with a balanced and comprehensive plan. So, I'm looking forward to all of my colleagues being able to reform the tax structure of the City in a way that makes best sense to all the residents of the City of Pittsburgh. Thank you.

The Chair:

Thank you. Again, I don't want to belabor the point, but I hope that if there's one principal that is established here today, we can vote for all the symbolism the Mayor or this Council decides, I have no problem with that as long there is replacement revenue. It was this Council that came up with replacement revenue by the items I've mentioned. I do make exception to Councilwoman McDonald's characterization of the actual money situation with the garbage fees. However, that vote ends up, there is still a couple hundred thousand dollars in access to the \$250 that was budgeted bv Administration for the '97 budget. Again, I'll also support the theme, the symbolic act and clearly there's not symbolism when you remove 22,000 rate payers from the burden, similar to what we did last year provided that somebody owns up to creating additional revenue which is badly needed and a budget that has a structural real budgeted deficit of \$35,000,000.00. Again, we, this Council, came up not only with the priorities of funding for the widows and survivors, we also bit the bullet and came up with additional revenue in the three or four items that I've mentioned. It's on that basis that I've taken this position.

Any other comments?

Roll call vote on Bill 1388.

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill having received the legally required number of votes is approved finally.

Merry Christmas to the 22,000 payers. We will have the remaining bills.

With an affirmative recommendation.

No. 1389 Resolution making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year beginning January 1, 1997.

Also.

No. 1390 Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions.

Also,

No. 1391 Resolution adopting and approving the 1997 Capital Budget and the 1997 Community Development Block Grant Program and approving the 1997 through 2002 Capital Improvement Program by adjusting various line items in conformance with City Council's 1997 Capital Budget Amendments.

Also,

No. 1454 Resolution authorizing and directing the Director of Finance and the City Controller to subsidize the health insurance premiums of eligible non-union employees who retire at age 60 or older with a minimum of 20 years of full-time service until they attain the age of 65.

Also.

No. 1455 Resolution authorizing and director the Director of Finance and the City Controller to issue monthly payments to eligible employees who waive participation in the City's health insurance plan.

Also,

No. 1456 Resolution authorizing and directing the Director of Finance and the City Controller to issue monthly payments of \$250.00 to survivors of members of the Fire, Municipal and Police Pension Funds currently receiving less than \$250.00 per month.

Also,

No. 1457 Resolution authorizing and directing the Director of Finance and

the City Controller to issue monthly payments of \$250.00 to widows of members of the Fire, municipal and Police Pension Funds currently receiving \$200.00 per month.

Also,

No. 1458 Resolution authorizing and directing the Budget Director to specify certain information in the Mayor's Proposal Capital Budget.

Also,

No. 1385 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 245, Earned Income Tax and Chapter 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for the year of 1997.

Also.

No. 1386 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263. Real Property Tax, Section 263.01, Levy and Rate on Lands and Buildings, by levying the real property tax for 1997.

Also.

No. 1387 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal. Article VII, Business Related Taxes, Chapter 247 Institution and Service Privilege Tax, Section 247.03 Computation of Tax by adding subsection (a)(1).

Also.

No. 1314 Resolution authorizing and directing the Mayor of the City of Pittsburgh to petition the Pennsylvania State Legislature to take the appropriate legislative action which would allow the City of Pittsburgh to be designated as a Host Community by virtue of the fact that significant operations related to the Allegheny County Sanitary Authority (ALCOSAN) are conducted within the city limits and, furthermore, that the City be entitled to collect a Host Fee from noncustomers, per month City ALCOSAN which would be collected by ALCOSAN from ALCOSAN rate payers which reside outside the City of Pittsburgh.

Also.

No. 1413 Resolution providing for contract or contracts and/or agreements or agreements or the use of existing contracts or agreements for the purchase of equipment for the Department of the City Controller, at a cost not to exceed \$13,000.00.

Also,

No. 1423 Resolution providing for the issuance of a warrant in favor of Maureen Cato in the amount of \$2,111.14 in payment for services provided to the Bureau of Police.

Also,

No. 1453 Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council for the month of October, at a cost not to exceed \$1,968.09, chargeable

to and payable from Code Account 1003, Miscellaneous Services, City Clerk's Office, Index Code 100305.

The Chair:

You have heard the reading and titles of the bills, is there any discussion? Councilman Udin.

Mr. Udin:

Mr. President there are a couple of final amendments from the Finance and Budget Committee. They are both in the area of the operating budget as well as in the capital budget. If you would like to have them all, we can do them all or if you want to separate them, we can do that.

The Chair:

Let's move them as a body.

Mr. Udin:

First, there is a balance as a result of the preliminary action of Council --

The Chair:

Does everyone have a couple of what Councilman Udin is referring to?

Mr. Udin:

It was distributed.

The Chair:

The Chair doesn't.

Mr. Udin:

As a result of the preliminary action of Council, there was a balance of \$174,656.00 remaining. That balance has been placed in the capital plan and, therefore, increases the capital plan from \$5,000,000.00 to \$5,174,656.00. That is the first amendment. Councilman Onorato will have another amendment to read. He can read it at his own discretion. In the capital budget Mr. President, as a result of the reduction in the Federal Community Development Block Grant to the City of Pittsburgh, the Administration submits the following amendments to reduce the expenditures by \$450,000.00. That is to reduce street surfacing by \$174,656.00. Again, to reduce the Business Growth Fund by \$110,000.00, to reduce the Urban Redevelopment Fund by \$50,000.00, to reduce the Community Development Investment Fund by \$100,000.00, to increase the Housing Development Support by \$184,656.00, to reduce the Home Rehabilitation Program \$100,000.00 and to reduce the Housing and Recovery Program by \$100,000,00. reduction Community Total in Development Block Grant amendments is \$450,000.00. Mr. Onorato you may want to read your amendments in the section.

Mr. Onorato:

There are two other amendments. If you look at the revenues that's being decreased, that's for the Business Privilege Taxes that just past, \$552,000.00. At the same time, correspondence expenditures are being reduced on the non-departmental retirement severance pay, LS \$552,000.00. Real briefly, these two represent the wash of the Business Privilege Tax. I want to remind everyone that when I originally presented this issue of the Business Privilege Tax, it was in the Mayor's

budget and I knew there would be a short fall because we are also dealing with the widows. I introduced a bill for the widow's fund before the BBI trust fund which passed and is currently in the budget. So, this is just cleaning up the revenue line items. This, based on prior year experience and based on what happened to the preliminary vote, it can withstand this withdraw. It appears that it's overabundance by \$552,000.00 the expenditure line item. So, this will clean up the revenues and the expenditures.

The Chair:

I'd like Councilman Udin to clarify his last one and, then, Mr. Ricciardi.

Mr. Udin:

Finally, the Community on Development Block Grant to Community Organizations, there are several final amendments that need to be read. The Arsenal Field and West Penn Field. \$20,700.00; Bethlehem Haven, \$7,000.00; Bump Yes, \$2,000.00; Central North Side Neighborhood Council, \$2,000.00; Central North Side Reading is Fundamental, \$5,000.00; Fineview Citizen's Council, \$9,000.00; Sprinters Educational Athletic Association, \$2,000.00; the Urban League of Pittsburgh, \$4,700.00; and the Centre Avenue Branch of the YMCA, \$3,000.00. That completes the amendments from the Finance and Budget Committee.

The Chair:

Mr. Ricciardi.

Mr. Ricciardi:

Thank you. I just want to clarify one point that Mr. Udin mentioned and that is true that CDBG dollars for street resurfacing has decreased \$174,656.00; however, that's being offset by the general fund with is increasing \$174,656.00 for street resurfacing. So, it's a wash. So, street resurfacing is not decreasing in the long run. Thank you.

The Chair:

I'd like to respectfully ask that we have three separate votes, given the report that you just gave. Let's do the easiest one which is the formal amendment to the overall capital budget listing all of the ULO groups including the amended version as you just stated which we have not actually done. The draft budget that you have, unfortunately, left out all the ULO funded groups. So, I would ask that someone make a motion to amend the budgeted document you have on the table here to include all of the Council ULO CDBG budgeted as revised by the chairman.

MR. UDIN motioned to amend the budgeted document.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

Again, there was some minor changes that some colleagues changed. Now, the second one in the operating budget, I would ask for a motion to approve the operating budget changes which is the chairman and Mr. Salic working on the balancing of the \$174,000.00 figure along with Mr.

Onorato's amendments regarding the Business Privilege Revenue and I would ask for support of that.

MR. O'CONNOR motioned to approve the operating budget changes.

MR. COHEN seconded the motion.

Which motion prevailed.

The Chair:

Roll call vote on the changes on the operating budget which are all of the lines you have before you.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

Okay, those are the operating budget amendments. Now, here comes the problem. I have a major reservation which is the last part which is the capital CDBG. I know there is a running debate here about what we did or did not spend in asphalt resurfacing, what we may or may not spend in '97. I don't think we should rush to judgment or vote on this issue today. We still have the early part of January, February to come to a final resolution on the needed reduction based on the grant being reduced somewhat. I have a problem voting with this today. I

think Mr. Ricciardi has made a strong point about the street resurfacing, but I have a reservation about all of the hit coming from the neighborhood group funded initiatives. Meaning, those URA community based that programs organizations and development group utilize. such as the community development investment fund, the business growth fund, home rehabilitation program, and housing development support. Those were all the items that have been cut back at the URA and those are the programs that basically are the working tools of community based groups who are doing residential and economic development initiatives. I have a major problem with that. I can see that Mr. Ricciardi has made a good point that it should not all come from street resurfacing but to just go tell it the other way and say let's just take it all out of the URA programs that do the most for the neighborhood working group, I have a problem with that. I don't think we need to resolve this today.

I think we need to have another Standing Committee Meeting, maybe the first part of January, where we can get the URA Director back in here and go over what these various programs are and look at other options. Including possibly taking a one and two percent cut across the board ULO or looking our Administration's part of the budget. But, to just go full swing now, depending on going full swing the other way and gutting the neighborhood based program. So, if it comes up for vote today, I'm voting no on this. I would respectfully request that we not take final action which we're not necessarily required to do at this time. We have some ability in January to rediscuss the street resurfacing and the other programs. Councilman Udin and then other colleagues.

Mr. Udin:

Thank you Mr. President. Unlike the operating budget, this body is required to pass the operating budget by December 31st. We are not required in the same way to pass the capital budget. I think that this last minute amendment of \$450,000.00 out of some very important community based programs is something that deserves our further consideration. I would support the President in suggesting that recommission this bill back to discussion and take a closer look at what the impact will be and, perhaps, consider some alternatives of where these reductions can be made so that they can be, perhaps, spread out more evenly or taken in some areas that may not have as critical an impact as it may have on some of these programs.

The Chair:

Councilman O'Connor and then Councilwoman McDonald.

Mr. O'Connor:

I don't know if that's in a form of a motion, but I would seconded it Mr. Udin if you'd like. I agree with you because I'm looking at here we are at least the Mayor is fighting to help businesses, but yet you're taking \$100,000.00 out of business growth fund and the community development investment fund. So, I think we ought to take a long hard look at this.

The Chair:

Basically, I'm asking a motion to table this amendment and basically it means we'll come back in January, the Administration and/or the Chairman can come back with some alternative ideas on how to arrive at this \$450,000.00.

MR. UDIN motioned to table this amendment.

MR. O'CONNOR seconded the motion.

Which motion prevailed.

The Chair:

There's usually not a discussion on table, but at least have a discussion on tabling the proposed amendment. Which basically means that the Administration, the Chairman or any colleagues needs to come back in January to address this \$450,000.00.

Mr. Ricciardi then Councilwoman McDonald.

Mr. Ricciardi:

I would just ask the colleagues to keep in mind if this amendment even passes today, we can still come back in January and make necessary corrections or move similar accounts. So, I'm prepared to vote for this today. I think that the Administration has, hopefully, discussed this the URA. They feel comfortable making the cuts. What I'm saying is let's not put off the capital budget just like we're not going to put off the operating budget even though it's not mandated that the capital budget passes. The amendment that is before us, it has the Finance Director's name on it, it has the Administration's name on it. I think I'm very comfortable what with what they've done with street resurfacing. I'm passing this today and, then, come January if we have to make changes, we can make it then.

The Chair:

Okay, well, there's a motion to table. But, we're going to divert a little bit from Robert's Rules. So, we'll have discussion on the table.

Councilman Hertzberg.

Mr. Onorato:

Point of procedure.

The Chair:

Councilman Onorato.

Mr. Onorato:

If you're asking to table the amendment, are you then asking to vote on the capital without the amendment or you're not going to vote on the capital at all?

The Chair:

No, we're going to have final vote on the capital on everything we've agreed to date except for this issue of the \$450,000.00 cut which we are asking to come back for a discussion in January where we can have a Standing Committee Meeting and we can talk about all the different CDBG programs.

Mr. Onorato:

The reality would be that the capital budget is adopted totally and this amendment is like filled.

The Chair:

Exactly.

Mr. Onorato:

Okay.

The Chair:

But, it doesn't preclude the inevitable which is, as Mr. Ricciardi pointed out whether we approve this or not or whether we approve something else --

Mr. Onorato:

There was some confusion of Councilman Udin's comment about possibly not having it passed by the end of the year. We are going to pass it before the end of the year? I want to make this clear.

The Chair:

Yes, he was only making the Point of Procedure --

Mr. Onorato:

I understand, I wanted to make sure.

The Chair:

We do have to have a balanced CDBG budget, necessarily.

Councilman Hertzberg.

Mr. Hertzberg:

Thank you. I appreciate Councilman Ricciardi's remarks. The street resurfacing program, I think, has been superb in the past. But, as the Council Board Member on the URA, I think the efforts of the URA have also been excellent. I think we need to find a way to readjust this whole set-up and I think a little time may help us to do that. I appreciate Council President and Finance Chairman indulging in that and I'm support of this motion to table.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

I, likewise, am supportive of the tabling. I've had concerns about this street resurfacing and the budget. In one respect, you hear that they always have enough money and they never use it all. The other time, you hear they need it. I don't know. I don't really know what the truth is and I don't think there's sufficient time for Councilmembers to actually disguise all the information to make a decision, is it needed or not. I'd like to table so we can come back in January and get some real discussion about this street resurfacing. I really don't have a problem with the URA except that I would like to hear from the Councilmember who sits on the board first before we just cut like this.

The Chair:

Again, we are conceding the point that we have to come back in January to resolve the \$450,000.00 figure. It's just a

question of due diligence that we need to get to that point.

Any other discussion? Councilman Onorato.

Mr. Onorato:

I'm going to be voting no on the table and I want to make it clear because I disagree procedurally of what we're doing. We have a \$450,000.00 out of balance in the capital and it's due to our amendments at the preliminary. I have no problem with that. I think it's incumbent upon us to balance --

The Chair:

Excuse me, Councilman just on that Point of Procedure. If I'm not mistaken, we already took an action to make it balanced and that was we took the money out of street resurfacing.

Mr. Onorato:

No, I'm talking about this amendment we're not going to pass now. It's a total of \$450,000.00 decrease. If we don't pass it, I assume that we're not decreasing it \$450,000.00.

The Chair:

Right, I'm sorry.

Mr. Onorato:

That's why I will be voting no against this. I can appreciate everybody's comments, but I would rather deal with this issue by doing what we should do and that is pass the balanced capital along with the operating and then deal with it, like

Councilman Ricciardi said, in January with making the transfer at that point. I don't way to get into the habit of starting to roll over capital budget until the following year. Let's balance it, let's pass it, and let's readdress the accounts if we don't want them because I'll admit with Councilman Ferlo that I don't mind revisiting, taking the cut across the board including our ULO that we allocated to all the groups or finding other locations. But, we have plenty of time to debate the capital. The Administration sent these over from their portion of it. If we disagree, I would ask that we try to amend this in January or make a resolution transferring the money in January. But, I'm going to be voting no against the table because I think we should pass the balance capital.

The Chair:

Again, I would ask for support in the tabling the bill because there's a symbolism here and we're sending the wrong message to neighborhood based initiative groups and business groups and others that we're taking all of the hit from those programs that they badly need to do commercial and residential development in our neighborhood level.

Roll call vote on the motion to table.

AYES:

Mr. Cohen Mr. O'Connor Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Ferlo (Pres't)

NOES:

Mr. Cusick Mr. Onorato Mr. Ricciardi

AYES: 6 NOES: 3

The Chair:

The proposed amendment is tabled at this point. It is clearly taken with the understanding that we will come back immediately in January and discuss various options at the goal of the \$450,000.00 reduction. I would ask Chairman Udin to help facilitate that dialogue, Mr. Onorato and others with the Administration and the URA and others regarding the Block Grant priorities.

Any other discussion on other bills that were read?

The first five bills that I introduced really on behalf of the body, Resolutions 1454 through 1458. These various resolutions were basically contained in language under other authorizations in the budget which I've stated during the budget deliberations that I think a lot of our colleagues have a problem with. So, I'm presenting them as formal resolutions so that they have the weight of law. I'm also asking that Chairman Udin convene a meeting with the Administration, Council, and the Budget Director, Mr. Salic, to discuss the other authorizations language that the Administration has put in.

It's not appropriate, I think, any longer to clutter the annual budget document with a lot of nebulas language from the Administration. To me it does not have the weight of the law. It should be introduced. Whatever the issues are it

should be introduced by a resolution. Now, I'm doing the same thing here.

Resolution 454 restates what this Council supported in the previous Administration under Mayor Masloff and that was the health insurance for employees until 65. Resolution 1455 is the health insurance waiver bonus which we did under Mayor Masloff. Resolutions 1456 and 1457 establishes the \$250.00 threshold line minimal bottom commitment to survivors and widows for police, fire and municipal employees. Resolution 1458 was in the other authorizations, but never fulfilled by the Administration and that is that when the Mayor submits the capital budget, this Council and the public wants to know what the year end funding was, what was actually spent and what the incumbencies are. We need that in terms of actually better informing ourselves. example is the asphalt debate where we continually have a debate about what actually was expended. So, we've asked for that. That's the intent of those five resolutions.

For the public's knowledge since this is the annual budget debate, Bill 1385 maintains existing earned income of one percent wage tax. Bill 1386 makes no change in the existing property tax in the mix the bifurcate tax of lands of buildings. Resolution 1387 is a companion bill to the Business Privilege Tax and it also increases the \$20,000.00 threshold for the institutions and non-profit agencies that now pay the Business Privilege Tax we're equaling the \$20,000.00 exemption. That's a lost of about \$16,000.00 in revenue.

Any other discussion? Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. appreciate you doing it this way and that is, specifically, saying what in the other authorization's bill you were uncomfortable with and then we can vote on it bill by bill as opposed to taking all the other authorization language out of there. Also, you glossed over one thing that I think is worth repeating and that is that this maintains the current earned income tax of one percent. A lot of people believe that the City's wage tax is 2.875 percent. In fact, that's not true. The City's wage tax is one percent and it has not been raised in many years, at least seven years, probably more. I think that we all should, at least, step back for a moment and appreciate that this budget does not raise taxes and, in fact, keeps it at one percent. The other 1.875 is, of course, the school board's portion. I think that is a point that does merit repeating. Thank you.

The Chair:

Thank you very much. Also, this Legislative body has no direct input or ability to concern itself with what the school board's taxing policies are relative to earned income or profiting. It's completely a separate political issue. If the public is concerned about the taxing policy whether it be city hall or the school board, they have to involve themselves and educate themselves about school board issues.

Any other discussion on all the different resolutions?

Roll call vote on all the bills under Finance and the Budget including the ones that were amended.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

I will ask Councilman Udin to come up later for a presentation as the Finance Chairman, but I'd like to conclude all the different reports of the Standing Committees.

We will now move to the Committee on Public Works, Water and Environmental Services, Mr. Ricciardi.

Mr. O'Connor:

I apologize. We were voting on the capital budget with that last vote?

The Chair:

Yes.

Mr. O'Connor:

The capital budget as a whole?

The Chair:

Yes

Mr. O'Connor:

Well, I would like to vote no on that.

The Chair:

The capital budget.

Mr. O'Connor:

On just the capital budget. My reason is I think it's heavily weighed for the large downtown development projects. Spending is almost 2:1 neighborhoods. Pittsburgh downtown is obviously important but then again so are our neighborhoods. Pittsburgher's live downtown and thev live in neighborhoods. We have to start thinking about the residents of this City and in the budget Pittsburgher's are not getting their share. Maintenance neighborhoods is deferred in favor of large projects downtown. I feel that is not fair to Pittsburghers so I will be respectfully voting no on the capital budget.

The Chair:

I would ask the Clerk to please be clear on that vote relative to the capital budget final vote which I think is 1391 which is not in my packet for some reason.

What was the final vote, then?

The Clerk:

AYES: 9 NOES: none

Bill 1391

AYES: 8 NOES: 1

The Chair:

Thank you very much.

Again, moving to Reports of other Committees, Public Works, Water and Environmental Services, Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President.

The Chair:

Thank you Mr. Ricciardi.

On the earlier vote that we took, I would also ask Mr. Salic to work in the Controller's Office and the Budget's Office and resolve this issue of the street resurfacing and what the actual funds were that were expended so we can have that information by the first part of January. Thank you.

MR. RICCIARDI PRESENTS:

Bill No. 1483

Report of Committee on Public Works, Water and Environmental Services for December 11, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1383 Resolution granting unto Western Pennsylvania Hospital, 720 Gross Street, Pittsburgh, Pennsylvania 15224, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a fence and gate on a portion of the sidewalk area on Aloe Street in the 8th Ward, 8th Council District of the City of Pittsburgh.

Also.

No. 1407 Resolution amending Resolution No. 448 approved June 21, 1996, Amending Resolution No. 978 effective January 1, 1996 entitled, "Authorizing the Director of Public Works to establish a fee schedule for the collection of non-recyclable waste from certain institutions", by changing the fee schedule set forth in Section 2 of that Resolution and changing the effective date set forth in Section 4 of that Resolution.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. On the refuge bill, very briefly because we had a discussion of this last Wednesday. As all Councilmembers know, for three years now the City has charged for refuge pickups for multi-family dwellings and also religious institutions and civic organizations. That's in the current bill prior to this one. This new bill, however, does make some changes which, I think, are all beneficial to the City. That is, number one, it's more fair because it

includes all facilities that have dumpsters and gets picked-up by the City. Number two, it's a lower fee. The Administration wanted to come in with a fee of \$16.00 per cubic foot. This bill is \$7.50 per cubic foot. So, it's lower because it includes everybody. Number three, it's simpler and easier to administer and Lamar Barns spoke at length about this last week where vellow stickers will be put on dumpsters so we'll know which ones are picked up by the City and which ones are picked-up by private howlers. And, of course, it's easier to administer from a billing point of view because everybody that has a dumpster will be in. Number four, this is an issue actually that Councilman Hertzberg raised strongly last week is that it will encourage all facilities, but particularly schools, to recycle. This is a very pro-environment bill because as Lamar Barns stated in his memorandum which is dated December 16th, right now schools only recycle 10 percent of their waste materials. According to System Director Barns, they could recycle up to 60 to 70 percent. Even if they just recycled 50 percent, they would be able to save \$30,000.00.

So, this legislation does bring fairness, a lower fee, easier administration and pro-environmental concerns. I think for that reason, I would ask that my colleagues support this bill. I know that Councilman O'Connor has an amendment which I certainly support because it clarifies one aspect that I think there was some confusion over and that is that what this bill does is with respect to fees.

The Chair:

Can we get the amendment on the floor and then we can discuss that? Mr.

O'Connor do you want to make your motion.

MR. O'CONNOR motioned to amend by substitution and we have the amendment in front of everyone I believe.

MR. ONORATO seconded the motion.

Which motion prevailed.

The Chair:

Discussion on the amendment, Mr. O'Connor.

Mr. Cohen:

Just real quick and, then, I'll defer to the sponsor of the amendment. This clarifies the fact that this fee per month for once a week pick up. It actually says that in the current legislation. But, I agree that it's a little bit confusing and I think this helps clarify the amendment.

Mr. O'Connor:

We, basically, had some confusion. The amendment in front of you really tries to clarify that it's \$15.00 a month for one pick up per week. So, really it's \$3.75 per pick up and \$15.00 per month. Ms. McDonald suggested that, and I agreed with here, I put the word "each" so that it's clear that each dumpster holding upto two cubic yards at \$15.00 per month.

The Chair:

Any other discussion on the amendment? Councilman Cohen do you have any other clarifying point on the amendment?

Mr. Cohen:

No. Mr. President.

The Chair:

Roll call vote on the amendment as it is presented.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Ferlo
Ms. McDonald (Pres't)
Mr. O'Connor

AYES: 8 NOES: none

The Chair:

The bill is amended. Now, on the bill and other bills in the Committee, any other discussion? Councilwoman McDonald.

Ms. McDonald:

I'd like to have my comments brought forward on this bill and to express appreciation to Public Works, Deputy Director Lamar Burns for communicating to this Council body some ideas and some facts about solid waste disposal at our public and private school facilities in the City of Pittsburgh. Also, Mr. Barns did provide photographs, which they don't lie, to recycling efforts. I saw that waste disposal habits at all of our school facilities, public and private, a real eye opener there. I think that to be fair, this Council body always attacks the board. I think the board has to set a broad based policy and hold individual schools accountable as they become more

independent in how they handle their school body and curriculum as to encourage them. Again, hold them accountable for proper solid waste disposal especially recycling.

Just to give one piece of information, the City of Pittsburgh currently receives \$81.10 a ton for white ledger paper. I know I recycle my white paper and I was not happy to see so much white paper in the garbage cans, we're killing our trees. So, let's save the trees, I would say this to the public schools. In fact, they can mitigate their cost or soften it to a great degree. I appreciate the communication. What I also have appreciated publicly is in talking with Mr. David Miller, our O&B Director, as to what they are doing to work with all of educational facilities for children to find out how they can reduce their costs overall. There is going to be some efforts in more of a collaboration just like the City and County have engaged in dialogue, the share services, and to talk about ways to save money, the same thing will be done with our schools as well. I think this is one piece. Again, after all the input that I have received from public school officials, this communication, administration, I can go along with this. The bottom line is legally we don't have a choice. Either we have to do it for all or we do it for none.

The Chair:

Thank you. Any other discussion?

I just hope that these fees, obviously should encourage all of the payers to encourage recycling which is not happening. Many apartment buildings are not recycling, the housing authority has

never recycled, and some of the other institutions that are on this bill. I think we need to make a special effort next year with Mr. Barns and others in the department and whatever community resources we can bring to bare including, maybe, using some of the Block Grant Fund. We need some innovative programs at reaching out and encouraging recycling. It reduces the overall tonnage for these people that have to pay the freight and that's also important for compliance with Act 101. I hope that we will continue to work on that. Councilman O'Connor Councilwoman raised that issue. McDonald, Councilman Cohen has raised that. We should require that the Administration comes back with a working playing for us. It's nice to just mail out a slip brochure regarding recycling with a picture of a blue truck on it, but that's not going to cut it. We need some creative programming that's community based and school based to encourage us to do that.

Councilman Hertzberg then Mr. Cohen with the last word.

Mr. Hertzberg:

I think this legislation itself is going to be very beneficial. The bottom line is that you will be encouraged to recycle as much as possible because everything that's recyclable that you put out, you don't get charged for. The other stuff that's not recyclable, you're going to be charged a fee. Now, the schools and apartment owners and a lot of people will have an incentives. Everybody that's being brought in that has dumpster is now going to have an incentive to recycle more. We should be looking for some other ways

to do the same thing in the residential area and elsewhere.

The Chair:

Councilman Cohen with the last word.

Mr. Cohen:

I just wanted to thank those people that worked hard on the committee that came up with this legislation. Lamar Barns of course who was there personally at every meeting. Colin Anderson from the Budget Office, Jim Micinlog from the Apartment Association also Anne Paul from Apartment Association. I appreciate their hard work on this.

The Chair:

Thank you very much. Any other comments on Bill 1407 or the remaining bills?

If not if you're ready to vote, all in favor of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES: 9 NOES: none

Bill 1407

AYES: 8 NOES: 1

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

Committee on Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTS:

Bill No. 1484

Report of Committee on Planning, Zoning and Land Use for December 11, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1203 Resolution providing for the addition of the property located at 4423 Bigelow Boulevard (known as the Syria Mosque site), Block and Lot Number 27-P-212, in the 4th Ward, City of Pittsburgh, to the existing Oakland Civic Center Historic District, under Section 513 of Chapter 1007 of the Code of Ordinances.

Also.

No. 1319 An Ordinance amending the Pittsburgh Code, Title Nine,

Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from S, S-A, C-1, R2, R4, R4-H, R5, RP and AP Districts to G-PR "Grandview-Public Realm District" certain property along and in the vicinity of Grandview Avenue extending from Republic Street to East Sycamore Street, 19th Ward.

Also.

No. 1320 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by creating a new district entitled, Chapter 972, "G-PR Grandview-Public Realm District" including subdistricts with use, height and area regulations and a new Special Exception 909.06(b)(38) to allow 4 to 9 stories in subdistricts B and C.

Also.

No. 1327 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Districts and District Regulations, Chapter 921, Classification and Zoning District Map, Section 921.02, Zoning District Map No. 10, by changing from "S" Special and "R3" Multiple Family Residence Districts to "C3" Commercial District, certain property along the southeasterly side of Butler Street between 55th and 56th Streets in the 10th Ward.

The Chair:

You have heard the reading and titles of the bills, is there any discussion? Councilman Hertzberg.

Mr. Hertzberg:

First, I'd like to have my comments brought forward from the Standing Committee's Meeting. On Bills 1319 and 1320, we amended them at the last meeting and I'm going to try to briefly go over the amendments that were made and try to summarize legislation.

Bill No. 1319 sets up the boundary It had proposed four different zoning districts on Grandview Avenue. The amendment made last week removed the "D" District. So, now we're down to three new zoning districts on Grandview Avenue. Of course, presently, there are over 10 districts on Grandview Avenue, so we're cutting it down quite a bit. The three districts now in the legislation are "A", "B", and "C". "A" is primarily residential, not very dense residential. "B" is also primarily residential, but it allows a little more dense. "C" would allow all those forms of residential but, in addition, will allow come commercial zoning.

The amendments that were made last week, we added just a reference in the intention of this rezoning. mentions the fact that we intended to address and encourage new residential I've added in there development. commercial because we do have a "C" classification and we do want to encourage development commercial along Grandview Avenue. Also, under the project development plan review approval process, there's an overlay in the entire Grandview Avenue zoning district under this new zoning. There are three areas that would allow someone to be exempt that are not included in the whole planning process and the planning review structures commission. Thev are involving external alternations not in access of \$100,000.00. If it's something

over \$100,000.00, and it's external alternation, you're going to have to go before the Planning Commission. Then, "B", residential structure that are purposed to contain no more than three dwelling units. If you have no more than three dwelling units, you would not have to go before the Planning Commission. Finally, if it's interior renovations only and you're not creating an additional unit, you would not have to go before the Planning Commission. I added the word "or" in the there so anyone of those three things so it would not be implied that you need to have all those three things to avoid the Planning Commission. Anyone of those items would allow someone not to have to go before the Planning Commission.

Another amendment was made, it's on page 6 of the legislation that you have. There are a number of criteria, A-K, that the Planning Commission is to look at when they are reviewing these items. They include, impact on parking, impact on traffic, it also includes addressing open space like concerns and that, I believe, addresses many of the concerns about the potential for a wall affect with new development on Grandview Avenue. The Planning Commission would, specifically, have to make sure that any proposed new development did address that area. In part F, the only changes that were made there and this requires that preservation of historic structures and other historic items be addressed in a new development plan. All that's been done here typographical change that the language did not read in the original version.

Also, in the process section, which is on pages 7 and 8 of what you have in front of you, a change has been made to create a three step process. Of the original

proposed rezoning had a preliminary application that's being reviewed by the Zoning Administrator and then a review by the Planning Commission. I've added a third step and it's a final review by the Zoning Administrator, it's not the full Planning Commission. The final review is only for a few things. That is, really they're all construction related. That is, any final development plan would have to be reviewed by the Zoning Administrator to make sure that parking needs in the construction phase, when you may have a bunch of construction workers in the area, have to deal with where they're going to You also have to deal with any traffic that would be created construction. I think everyone heard comments from the community about the roads, the hill, and the unique aspects of that area and traffic is going to have to be addressed for any new development there. Also. construction financing construction performance bond, there's been complaints that past developments in Grandview Avenue have various stages, had financial problems. They've changed plans in the middle as result, things have stagnated, and I believe this final level of review will put us in a position where that's not going to happen any longer. One other change in that same vicinity, there was a kind of a Planning Commission public hearing requirement put there the community for organization. I thought that was kind of an unfair requirement. Now, it's just the Any petition signed by any 25 same. residents would result in a Planning Commission Public Hearing for a new development.

I also added a provision. There's a 15 foot limitation on construction on the northerly side of Grandview Avenue as far

as the depth below Grandview Avenue. The idea being that new developments would not be able to climb down the northern slope that we all see from downtown. But, I've added in there a proviso that says that if it's a subsurface structure, we wanted to be sure that we don't preclude someone from having to go underneath the surface which almost everyone has to do, they're going to have to get foundation underneath the ground Particularly, a lot of it's been there. undermine so if there's a need to go under the surface, and I didn't want to prevent that in the process of this rezoning.

Finally, the last piece that was amended was the rezoning as originally proposed would have limited the "C" district commercial uses to first floor only. Although you're permitted to build three floors and go up 40 feet, for some reason. this had proposed that the commercial uses be limited to first floor only. I could see no possible reason for this if it's a three story building why the whole three stories couldn't he used for commercial development. There's already an 8,000 square foot limitation on the commercial space that would be permitted and we've also already made many provisions for traffic and parking problems in this particular rezoning. So, that I don't think the first floor limitation is appropriate. That's been amended out as of our meeting last week.

I want to thank Council for indulging in this process and for those members of Council that listened to the public hearing, it was a long public hearing. There was certainly great disagreement among the speakers. Most people that didn't want the rezoning all had a variety of reasons. Some people say

the ability to construct buildings that go upto 100 feet is too much, that's too high. There are others that have said that they think that's too low, that building should be permitted to go higher. There are just a number of reasons why people supported and were against this. I think in the end, this balances everyone's concerns about as well as they can be balanced. It also makes things more definite on Grandview Avenue.

Before there was such hodgepodge of different zones. It was such an unknown factor of what would happen with any particular request to do new development on Grandview. I think this new rezoning addresses that as well as we can. It tries to take into consideration both the development community and the existing residence. Not only the residence on Grandview Avenue, but the residence on the rest of Mt. Washington and on the rest of Duquesne Heights and that's where the bulk of the population is. I think all their wishes have been brought in here and accommodated as best as they can be accommodated.

I want to thank all those that participated particularly the Washington Community Development Corporation which is taken a lot of heat for this but really ended up with a fine product. In particularly, John Ram, of the Planning Department. John worked long hours. He attended many, many evening meetings and he took a lot of heat. His only reward is going to be what happens up there in the future. Because he certainly doesn't get paid any overtime as far as I know and he doesn't get any extra pay for taking the stress that he takes. Hopefully, his reward will be in the product that we see emerge down the road.

I hope all of Council will vote for this legislation.

The Chair:

Thank you Councilman, Councilman Ricciardi then Mr. Cusick.

Mr. Ricciardi:

Thank vou Mr. President. Rezoning is always a very difficult issue and at times it becomes somewhat more difficult especially on the portion of the land that we're talking about in Mt. Washington. I think all involved and especially the initiative of Councilman Alan Hertzberg, has really protected the interest of both the residence and also the developers in the Mt. Washington area. I think he really needs to be commended. I think there's always going to be some criticism. However, in the long run, I think it's going to really turn out for the good. I think it's going to grow the City in terms of development, but more importantly, those people who've really been there all their lives, I think it's going to protect their property values and, hopefully, their view. So, I really want to thank Councilman Hertzberg who really took the lead in this. I had a very small portion that's in my Councilmatic district, but because of Councilman Hertzberg's hard work. I didn't really have to get involved and I thank him for that.

The Chair:

Thank you Councilman, Councilman Cusick.

Mr. Cusick:

Mr. President, Councilman Hertzberg needs to be commended for his due diligence in regards to the Grandview Public Realm District. I, too, serve a very small portion of the Mt. Washington area and it was wonderful the way this all went. I think as this started out, Mr. Hertzberg would agree, this was a no win situation. But, I think in the future it will show that it was a win, win situation for everyone. Thank you Mr. President.

The Chair:

Thank you very much. Any other discussion?

I just want to say there are three bills out today. The bill on Syria Mosque site, there's several bills that Councilman Hertzberg just spoke eloquently about for the Grandview Public Realm District as well as a bill that I've submitted regarding that beautiful new supermarket you see on Butler Street, Bill 1327.

I just want to say, together, these three bills shows the power of this Council as it relates to supporting a growth agenda in this City. And, it's relatively a painless activity on our part. All of these reflect changes in the zoning code. The ability of this Council together with the Planning Department and the public competing interest all of who want to have a zoning code that encourages the highest and best use of property given the site. All three of these bills to me, advance the ability of this Council to support needed growth in this City.

I want to, particularly, thank Councilman Hertzberg who worked a lot on the issue of the Grandview Public Realm while it's legally in his district, we all know that everyone on this Council feels very strongly and have strong opinions about the overlook as well as the whole Grandview Avenue quarter. It's not a parochial issue necessarily to just one district. I want to thank him for, at least, allowing me an opportunity to voice my concerns with him and those concerns have been represented in many of the amendment that the Councilman has offered. I want to thank him, particularly, for his leadership and responding in trying to mediate what our oftentimes conflicting concerns in commercial, residential, open space, you name it. I think he has done successfully with all amendments. I, particularly, want to thank though Mr. Thomas, Director Barew for URA and the Administration and the community of Lawrenceville for being patient in the final rezoning today. The Butler Street site will facilitate the construction of an important new commercial center and an important lot along the Butler Street Corridor. That is a major new supermarket, a drug store and six or seven smaller retail operations, dry cleaners, video store, possibly a hardware store, and other things that the community in Lawrenceville have identified as an urgent need.

The Syria Mosque site is an important site historically. It should be in character when and if a building gets built there. It should be done pursuant to the open civic historic district guidelines. Guidelines with the University of Pittsburgh, itself, help to promulgate and support. I just want to thank colleagues for their support on all of these different ordinances to promote proper growth and meaningful growth in the City of Pittsburgh.

Any other discussion on the bills?

Hearing none, if you're in favor of the bills, vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

All of the bills having received the legally required number of votes, have been approved finally.

Committee on Housing, Economic Development and Promotion, Councilwoman McDonald.

Ms. McDonald:

Mr. President.

The Chair:

Thank you Councilwoman.

MS. MCDONALD PRESENTS:

Bill No. 1485

Report of Committee on Housing, Economic Development and Promotion for December 11, 1996 transmitting sundry resolutions to Council.

Which was read, receive and filed.

Also, with an affirmative recommendation.

No. 1409 Resolution amending Resolution No. 375, effective May 25, 1995, entitled, "Resolution providing for an Agreement or Agreements with various community organizations for operational/ administrative expenses. maintenance, purchase equipment, and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,190,000.00 chargeable to and payable from the 1995 Community Development Block Grant Program", so as to delete a funding group and add the funds to another group.

Also,

No. 1410 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property in the 15th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, as Block 54-J Lot 355, under the Industrial Land Reserve Fund.

Also,

No. 1411 Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and the International Union of Operating Engineers, Local 95, for the Sale of Block 54-J Lot 355 in the 15th Ward of the City of Pittsburgh for the amount of \$2,800.00.

Also,

No. 1412 Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Patrick K. Sheldon for the Sale of Block 23-F Lot 303 in the 25th Ward of the City of Pittsburgh.

Also,

No. 1414 Resolution further amending Resolution No. 976, effective January 1, 1996, entitled, "Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program and approving the 1996 through 2001 Capital Improvement Program", by adjusting various line items in conformance with City Council's 1996 Capital Budget amendments.

Also,

No. 1415 Resolution amending Bill 1375 of December 4, 1996, which further amended Resolution No. 624. effective August 16, 1996, entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1996 Community Development Block Grant Program providing for the execution of grant contracts and for the filing of other data providing for required assurances, providing for execution of payment vouchers on letter of credit and for certification of authorized signature, the deposit of the funds in a bank account and providing for the payment of expenses within categories", by decreasing City Council's line item McCandless & Leslie Park Children's Playground from \$20,556.00 to 0 dollars and adding City Council line item Golden Carriage for the purpose of obtaining a van for senior citizen's transportation from 0 dollars to \$15,000.00 and increasing Lawrenceville Development Corp./Doughboy Square for the Lawrenceville Industrial Facade Treatment Program from \$10,000.00 to \$15,556.00.

Also,

No. 1460 Resolution amending Resolution No. 617 of 1996 as amended Resolution No. 826. effective November 1, 1996, entitled, "Resolution providing for an Agreement Agreements with various community organizations for operational/ administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh", at a cost not to exceed \$1,155,600.00, chargeable to and payable from the 1996 Community Development Block Grant Program so as to change the Project McCandless and Leslie Park Playgrounds from \$20,556.00 to 0 dollars and to the Golden Carriage \$15,000.00 and Lawrenceville Development Corporation \$5,556.00.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Again, I want to thank my colleagues for supporting a change in my ULO appropriation this past year. It will enable the Golden Carriage Organization to purchase a new van which is badly

needed as well as some support for Lawrenceville Development Corporation to help do industrial treatment program.

Any other comments?

Roll call vote.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

AYES: 9 NOES: none

The Chair:

All of the bills having receive the legally required number of votes, have been approved finally.

Committee on Lands, Buildings and Procurements, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Mr. Hertzberg.

MR. HERTZBERG PRESENTS:

Bill No. 1486

Report of Committee on Lands, Buildings and Procurement for December 11, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1428 Resolution providing for a contract or contracts or the use of existing contracts for the purchase of telephone services, at a cost not to exceed \$800,000.00.

The Chair:

You have heard the reading and title of the bill, is there any discussion?

Hearing none, roll call vote.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes have been approved finally.

Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman.

MR. COHEN PRESENTS:

Bill No. 1487

Report of Committee on Public Safety Services for December 11, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1459 Resolution authorizing and directing the Chief, Bureau of Building Inspection to review and propose recommendations concerning fee, fines and penalties.

The Chair:

You have heard the reading and title of the bill, is there is any discussion?

I do want to thank my colleagues once again for supporting this bill. This is a recommendation that the BBI Chief will come back working with Council and the Administration. We made the comments relative to the Business Privilege Tax and other issues that we're dealing with in the budget. Many of us felt strongly that there were a number of fees and licensure requirements and BBI that were also orneriest to small business that were either duplicative or really cannot be justified in terms of the actual cost of inspection. I do want to note, specifically, concerns that we always have about the alarm fees which we continue to find unfair. The sign fee which is burdensome to small business, the \$20.00 fee. The landscaper fee which is not really consistent and any number of other issues that we need to discuss. This resolution requires the Administration to come back with a report so we can have continued discussion on the various fees relative to the department building inspection.

Any other comments?

Again, final action. Roll call vote.

AYES:

Mr. Cohen Mr. Onorato
Mr. Cusick Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

NOES:

AYES: 9 NOES: none

The Chair:

The bill having received the legally required number of votes, has been approved finally.

That concludes our Reports of Committees. At this time, I would like to ask Councilman Udin as Chairman of the Finance and Budget Committee if he would like to address Council and the public regarding final action on the budget.

Councilman Udin.

Mr. Cusick:

Mr. President before Mr. Udin takes the podium. I would like to register an affirmative vote on Bill 1388, I was out of the room.

The Chair:

So note.

Mr. Udin:

Thank you Mr. President. I want to take a moment to thank President Jim Ferlo for not only his energetic and principal leadership on many of the issues that have come before Council, but also on his political skill in getting consensus out of this body and keeping this body together and moving forward on our legislative responsibilities to the City of Pittsburgh.

I also want to thank my colleagues during this budget process and throughout the year for the cooperation and the seriousness that you brought to dealing with the City's issues especially the work the was necessary on the budget in this very difficult fiscal period. You not only gave close examination to the budget detail itself, but you went beyond that and investigated the deeper questions and implications for policy for the future and we have a lot more of that to do in the coming year, but I want to tip my hat to all Council colleagues for some very hard work that was done during this process.

I also want to take a moment to thank the staff who work very hard in the background beginning with the Clerk, Linda Johnson-Wasler, the City Clerk and her very fine staff. They work very hard, very diligently and make us look very good when oftentimes it's them and their work that makes that possible. Council's Budget Office, Kurt Salic, and the staff in the Budget Office deserves, I think, a very important commendation in the work that they do with the budget. Mary Jane Erdell, Jerry Thomas, Chuck Crawford, they work many. many evenings, at night, at home, probably get in trouble at home, but they're always present and working very hard and I appreciate your work.

My own personal staff in my Council Office as well, Ron Metra, Darlene Ganey, Tonya Payne and the Interns Willie McCrae, Ebony McKenney, Charles Duncan, you all deserve commendation and high praise for the work that you've done and I appreciate it.

My ability to work as the Finance Chair was made much easier this year by a high degree of professionalism provided by the Mayor's Budget Staff and the Finance Department of the Administration and I want to express my appreciation to the Administration staff for the work that you've done as well.

We've made, I think, some important learnings in the budget process that will be helpful to us in next year's very difficult times that we have to face. We've been able to approve a budget to the City in stressful fiscal times that does not contain a tax increase. All of Council should be proud and deserves credit in putting forward to this City a budget again that does not include a tax increase. some verv excellent There's been discussions during the process of the budget on policy issues. As you know this year, we didn't focus so much on line item detail, but we focused more on broad policy and the work that the department directors brought to this discussion is very, very helpful and I want to thank them as well.

We have a lot of work to do. The President mentioned the closer examination we have to make on the other authorizations, the recommendations of

the competitive Pittsburgh Task Force. We've discussed in some degree the work that the Tax Reform Task Force still has to accomplish. All of that is still in front of us. Despite some modest improvements that we have made this year, the real test, I think, will be what we are able to do in the coming year, in 1997, in order to completely eliminate the structural deficit of that which will be facing us January 1. 1998. That is when the real test of our work will unfold. I look forward to working with the President of Council. with the Administration and all members of Council and staff in a very productive 1997.

If I may Mr. President I'd just like to take a personal prerogative to mention my heart is saddened to some degree by the death of a childhood friend that I grew up with who gave 20 years of her life to the City's Police Department. She was one of the first African American women to join the police department. Vicki Coleman, passed and is being buried at this time. I'm very sorry that I'm not able to join the family and be there with her. But, she gave many, many years of dedicated service to the police department and we all grieve to the family. Thank you very much Mr. President.

The Chair:

Thank you Councilman. Again, thank you to you also for your hard work as Chairman of the Committee and we all appreciate that.

That concludes our various committee reports and comments by the Finance Chairman. Under Motions and Resolutions, are there other concerns to be

brought before the body? Councilman O'Connor.

Mr. O'Connor:

One problem came up and we've been going over numbers. I didn't have a chance to bring it up to you Mr. President. I was very concerned about Mr. Flaherty's report concerning the \$12,000,000.00 not collected from the EMS over the last two years. I would like to join with you and possibly have post-agenda as soon as we come back to get to the bottom of this and how we're going to be able to collect this money.

The Chair:

Thank you for bringing the report up. I do want to point out that the Controller and his staff are an excellent report performance audit regarding the EMS Bureau and they, specifically, coned in on the lack of proper collection.

Mr. O'Connor:

The EMS is an excellent operation and I think we all know that. The bill collection has a lot to be desired. When we're facing deficits, as Mr. Udin just said, next year is really going to be the crunch year. This has to be addressed and has to be resolved and I would like to have a post-agenda with you as soon as possible.

The Chair:

Absolutely. I suggest the middle of January and we'll also ask the Controller to come up and give us a kind of synapses report and ask Chief Kennedy in the Budget Office to respond to some of

the critical issues that you've raised. Thank you very much.

There is a public hearing on Wednesday, December 18th at 2:00 p.m. It's the Ordinance regarding the zoning of Aliquippa Terrace. Again, that's Wednesday, December 18th at 2:00 p.m. Also, when we adjourn this meeting, our next legislative session will not be on Tuesday because of the Christmas holiday. If there's no objection, we'll meet on Monday, December 23rd at 10:00 a.m. because I have a lot of fish to cook on that Tuesday and I don't want to be in Council.

Any other comments to be brought before the body?

Hearing none, thank you all for your hard work. This legislative session stands adjourned.

ADDENDUM

- 1. Councilwoman McDonald and Councilman Hertzberg -comments on Bill No. 1388 can be found in the Standing Committees Meeting minutes of December 11, 1996.
- Councilwoman McDonald comments on Bill No. 1407 can be found in the Standing Committees Meeting minutes of December 11, 1996.

MUNICIPAL RECORD

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President
LINDA M. JOHNSON-WASLER.....City Clerk
JOHN R. MASCIO......Deputy City
Clerk

Pittsburgh, PA Monday, December 23, 1996

PRESENT:

Mr. Cohen Mr. Ricciardi Mr. Hertzberg Mr. Udin Mr. O'Connor Mr. Ferlo Ms. Onorato (Pres't)

The Chair:

Good morning everybody. I'd like to welcome Mr. and Mrs. Hubert Smith who's out in the audience. Good morning, thank you for attending this session. We have a couple of young students this morning who are going to lead us in the Pledge of Allegiance. At this time, I would ask that you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We have two students here this morning, Rebecca Kulwicki and Josh Getty. They both attend Delwore Traditional Academy in the East Liberty/Highland Park Community. Rebecca is in the 5th grade. Her mom and dad are Leonard and Nancy Kulwicki and her aunt is here, Elaine Lawnazak. from Chislette Street. They're Getty's in the 2nd grade. His parents are Milton and Donna Getty. They live on Collins Avenue. We are pleased to have them down here to lead us in the Pledge of Allegiance.

Rebecca Kulwicki and Josh Getty:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God indivisible with Liberty and Justice for all.

The Chair:

Thank you. Rebecca and Josh we want to thank you very much for leading us in the Pledge of Allegiance and for coming down here on your Christmas break and thank your mom and your aunt. We want to present you with a flag of our City and a flag of our great Nation. Since it's Christmas, you have a little gift there also from our colleagues. Thank you very much.

We have no formal proclamations, no guests at this point. But, we do have

one to be read into the record. Councilman O'Connor.

MR. O'CONNOR PRESENTS:

WHEREAS, Robert Joseph Celender was born on October 13, 1928, to Ralph and Alice Celender in Lawrenceville; the brother of Larry and Dolly; and,

WHEREAS, Robert has enjoyed the love and support of his loving wife, Lois Cunningham Celender since their wedding on June 16, 1951. Their family growing to include:

CHILDREN:

Linda, Bobby, Mark & Sandy

GRANDCHILDREN:

Corey, Christopher, Bobby, Dylan, Kelsey, Sara & Alexandra

WHEREAS, after attending St. Augustine High School and Conley Trade School, Robert enlisted in the United States Army in 1945, and was honorably discharged in 1948; and,

WHEREAS, after thirty-seven years of dedicated service to the University of Pittsburgh, Robert Joseph Celender is entering into retirement after a long and exemplary career as a Stationary Engineer; and,

WHEREAS, over his many years with the University of Pittsburgh, the impeccable maintenance of machinery throughout the campus were, in part, the results of Robert's hard work.

NOW, THEREFORE BE IT RESOLVED that the Council of the City

of Pittsburgh does hereby congratulate Robert Joseph Celender for his work and tireless dedication to the University of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare February 14, 1997, "Robert Joseph Celender Day" in the City of Pittsburgh.

MR. RICCIARDI moved to adopt the resolution.

MR. UDIN seconded the motion.

Which motion prevailed.

The Chair:

Moving to Presentation of Papers, Councilman Cohen, Committee on Public Safety Services.

Mr. Cohen:

No papers this morning, Mr. President.

The Chair:

Thank you. Since there are no papers formally being submitted, I will dispense with the formal reading of the Presentations and note that there are no formal presentation of papers, but the Chair does have a number of appointments.

We'll read these and ask for the pleasure of the body.

THE CHAIR PRESENTS:

1489 Resolution reappointing Claire Staples as a member of the Urban Redevelopment Authority for a term to expire December 31, 2001.

Also,

1490 Resolution appointing the Honorable Sala Udin as a member of the Housing Authority of the City of Pittsburgh term to expire December 31, 1997.

Also,

1491 Resolution appointing the Honorable Dan Cohen as a member to the Public Auditorium Authority for a term to expire December 31, 2001.

Also,

1492 Resolution appointing the Honorable Bob O'Connor as a member of the Pittsburgh Equipment Leasing Authority for a term to expire December 31, 2001.

The Chair:

What is the pleasure of the body? I would strongly suggest that we just move on these bills. These are all either elected officials that the Mayor has chosen to appoint to the authorities. Obviously, they all will be able to serve with great leadership on those boards and I think all three of them, obviously, have a strong commitment to communicate back to this whether Council thev be Public Auditorium, Equipment Leasing Housing Authority issues. Secondly, I believe Claire has been on the URA Board and Councilman Hertzberg may want to speak to her, but she has provided a lot of

leadership, she's very articulate, very aware and very committed to a growth agenda in the City of Pittsburgh. Unless there's a strong need to have people come to the table which I really see no need, I'd strongly ask that we move on all the appointments.

Councilman Hertzberg, did you want to make any comments?

Mr. Hertzberg:

No, I'd like to move on them today. Claire Staples has done an exceptional job. I think, probably, everybody on Council knows Claire. She's shown great leadership and intelligence and has been a very good board member with URA. She's a member of the International Brotherhood of Electrical Workers and she's been a good board member there. I hope we can reappoint her right now.

The Chair:

Well, I'll entertain Mr. Hertzberg's motion for the acceptance for all of the nominations and appointments.

MR. O'CONNOR seconded the motion.

The Chair:

Any other discussion? Roll call vote.

AYES:

Mr. Cohen Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Mr. O'Connor Mr. Ferlo
Mr. Onorato (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

Thank you very much. All of the appointments are confirmed by this Council. Are there any other matters under Unfinished Business or Reports of Special Committees?

Hearing none, moving to final action, Committee on Finance and the Budget, Councilman Udin.

Mr. Udin:

Mr. President.

The Chair:

Thank you Councilman.

REPORTS OF COMMITTEE

MR. UDIN PRESENTS:

Bill No. 1493

Reports of Committee on Finance and Budget for December 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1426 Resolution transferring the amount of \$400,000.00 from the Special Summer Food Service Program Trust Fund, Index Code 270256 in the Department of Parks and Recreation, to Code Account 45, Health Insurance,

Municipal Employees, Index Code 004507, in the Department of Finance.

Also,

Resolution providing No. 1437 for the transfer of funds from the Criminal Intelligence Trust Fund (CITF) to the General Fund or other trust funds for the reimbursement of any and all expenses and salaries associated with the purchase of replacement and/or computer equipment, supplies, software, and/or communications equipment, maintenance, professional services, analysis, design, development programming, travel and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$132,955.00.

Also,

No. 1438 Resolution providing for the transfer of funds from the COPSMORE (96)Trust Fund (COPSTWOTF) to the General Fund or other trust funds for the reimbursement of any and all expenses and salaries associated with the purchase of new and/or computer equipment, replacement supplies, software, and/or communications equipment. maintenance, professional services, analysis, design, development travel and/or training programming, services. in conjunction with feasibility, development, enhancement or implementation of automated services, at a cost not to exceed \$2,250,000.00.

Also,

No. 1439 Resolution providing for the issuance of a \$852.90 warrant in

favor of Mark Freed in settlement of claim for sidewalk damage due to City tree roots.

Also,

No. 1440 Resolution providing for the issuance of a \$1,596.00 warrant in favor of Three Rivers Brewing Company, c/o Stephen Scott in settlement of claim for sidewalk damage due to City tree roots.

No. 1441 Resolution providing for the issuance of \$4,866.77 warrant in favor of Duquesne Light in settlement of claim for property damage due to a City Refuse truck.

Also.

No. 1442 Resolution providing for the issuance of a \$1,001.00 warrant in favor of Patricia DiPaola in settlement of claim for sidewalk damage as a result of City tree roots.

Also,

No. 1443 Resolution providing for the transfer of funds from the Driver Simulation Trust Fund (DSTF) to the General Fund or other trust funds for the reimbursement of any and all expenses and salaries associated with the purchase of new and/or replacement computer equipment, supplies, software, and/or communications equipment, maintenance, professional services, analysis, design, development programming, travel and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$527,635.00.

Also,

No. 1444 Resolution providing for the transfer of funds from the Photo Imaging Trust Fund (PITF) to the General Fund or other trust funds for the reimbursement of any and all expenses and salaries associated with the purchase of new and/or replacement computer equipment, supplies, software, and/or communications equipment, maintenance, professional services, analysis, design, development programming, travel and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems, at a cost not to exceed \$178,000.00.

Also,

No. 1445 Resolution providing for the transfer from Non-Departmental Code Account 1, Interest on Bonds and Notes, Index Code 000109, to Non-Departmental Code Account 58-5, Police, Fire, & Municipal Widows Funds, Index Code 005850, in the amount of \$130,600.00.

Also.

No. 1446 Resolution providing for an agreement or agreements with Charles J. Kolling, Legislative Consultant, for consulting services to assist the City of Pittsburgh in acquiring state assistance and funding and to work with various agencies of government for the benefit of the City of Pittsburgh during 1997, at a cost not to exceed \$30,000.00 chargeable to and payable from Code Account 1017, Index Code 101709, Miscellaneous Services.

Also,

No. 1447 Resolution authorizing and directing the City Controller to create

a special trust fund, to be designated as the Trust Fund **COPSMORE** (96)(COPSTOWTF), for the deposit of grant monies received from the U.S. Department Instice other federal/state ٥f government agencies and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor. Bureau of Information Systems for any and all expenses and salaries associated with the purchase of new and/or replacement computer equipment, supplies, software and/or communications professional maintenance, equipment, services, analysis, design, development, programming, travel and/or training conjunction with the services. feasibility, development, enhancement or implementation of automated systems.

Also,

Resolution authorizing No. 1448 and directing the City Controller to create a special trust fund, to be designated as the Criminal Intelligence Trust Fund (CITF), for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor, Bureau of Information Systems for any and all expenses and salaries associated with the purchase of new and/or replacement computer equipment, supplies, software communications equipment, and/or professional services, maintenance. design, development. analysis, programming, travel and/or training conjunction with services. feasibility, development, enhancement or implementation of automated systems.

Also,

Resolution authorizing No. 1449 and directing the City Controller to create a special trust fund, to be designated as the Driver Simulation Trust Fund (DSTF), for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor, Bureau of Information Systems for any and all expenses and salaries associated with the purchase of new/ computer equipment. replacement supplies, software and/or communications equipment, maintenance. professional services, analysis, design, development, and/or programming. travel training conjunction with services. in feasibility, development, enhancement or implementation of automatic systems.

Also.

No. 1450 Resolution authorizing and directing the City Controller to create a special trust fund, to be designed as the Photo Imagining Trust Fund (PITF), for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor, Bureau of Information Systems for any and all expenses and salaries associated with the purchase of new/ replacement computer equipment, supplies, software and/or communications maintenance, professional equipment. services, analysis, design, development, training travel and/or programming, conjunction with services. in feasibility, development, enhancement or implementation of automated systems.

Also,

No. 1451 Resolution amending Resolution No. 759, effective October 21, 1996 to increase the sale price of Block 34 B, Lot 185, Old and Rapello Streets, Block 34B, Lot 169 Rapello Street, and Block 34 B, Lot 160, rear Rapello Street in the 18th Ward, from \$7,200.00 to \$7,500.00.

Also,

No. 1452 Resolution amending Resolution No. 1422, Item G, effective June 17, 1996, to reduce the sale price of 1380 Paulson Avenue, 12th Ward, Block 173 E, Lot 51, from \$7,000.00 to \$5,500.00.

Also,

No. 1468 Resolution authorizing the transfer of an aggregate total of \$64,329.00 from various Emergency Medical Services Code Accounts 1421, 1422, 1423 and 1424 to the Emergency Medical Services Trust Fund, Code Account EMSTF, Index Code 251785.

Also,

No. 1469 Resolution authorizing the City Controller to transfer \$220,000.00 from Code Account 1443, Salaries and Wages, Index Code 144303, to Code Account 1450, Equipment Index Code 140503, Bureau of Police, Department of Public Safety.

Also,

No. 1474 Resolution providing for the issuance of a \$5,300.00 warrant in favor of American Rent-A-Ride, c/o

Michael Yurechko in settlement of claim for a City leased vehicle returned damage.

Also,

No. 1475 Resolution providing for the issuance of a \$1,320.00 warrant in favor of Richard Ross in settlement of a claim for sidewalk damage due to City tree roots.

Also,

No. 1476 Resolution providing for the issuance of a \$2,000.00 warrant in favor of National School Bus Service, Inc. in settlement of a claim for an accident involving a City EMS vehicle.

Also,

No. 1477 Resolution providing for the issuance of a warrant in the sum of \$4,800.00 to Richard Anderson, Jr., Richard Anderson and Nancy Anderson, c/o Dennis A. Uram, Esquire, 900 Broadway Avenue, McKees Rocks, PA 15136 in full and final settlement of the action filed at GD85-16741 alleging personal injury relating to a sewer lid at the intersection of Cake Way and Casement Street on or about September 25, 1985.

Also,

No. 1478 Resolution providing for the issuance of a warrant in the sum of \$4,900.00 to Anthony James c/o Robert B. Truel, Esquire, Turel and Ploeger, 901 Grant Building, Pittsburgh, PA 15219 in full and final settlement of the action filed at GD93-3141 alleging personal injury due to a slip on Fairywood Street on or about September 8, 1991.

Also,

No. 1481 Resolution providing for the issuance of a warrant in favor of Lexis-Nexis, P.O. Box 7247-7090, Philadelphia, PA 19170-7090, in payment for computer user research services for City Council for the month of November, 1996, at a cost not to exceed \$1,542.55 chargeable to and payable from Code Account 1003, Miscellaneous Services, City Clerk's Office, Index Code 100305.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Councilman Ricciardi.

Mr. Ricciardi:

Thank you Mr. President. Colleagues regarding Bill No. 1446 allowing the Administration to enter into consulting services with Charles J. Kolling. As I stated last week, Mr. Kolling is a very bright, hardworking, productive individual and I don't question entering into consulting services with Mr. Kolling. As a matter of fact, over the years, I've supported each and every resolution for that.

Also, as I stated last week, I think \$30,000.00 is a very fair number if not modest for the type of work that Mr. Kolling does do for the City of Pittsburgh and has done in the past. However, I had a great concern and that was regarding the agenda that Mr. Kolling will have in Harrisburg. On that note, each of you should have an amendment before you. At this time, I would like to read that.

It will say, Section 2, all said agreement or agreements with Charles J. Kolling shall contain the following language. During the terms of this contract or any extension thereof, Charles J. Kolling shall not provide services to any person or entity in connection with the promotion of the sale, reorganization, privatization and/or contracting out of the State Liquor Store system operated by the Commonwealth of PA.

second amendment The was touched upon by Council President Jim Ferlo so I took the liberty of writing it. Prior to the undertaken of this agreement, Charles J. Kolling shall provide to the Mayor and to the City Clerk a list of all persons and entities on who's behalf Charles J. Kolling currently provide services, either directly or indirectly. Further Mr. Kolling shall, within 10 days, notify the Mayor and the City Clerk of any persons or entities on who's behalf Charles J. Kolling undertakes services during the term of the agreement or any extension thereof.

Colleagues, I believe it's morally and ethically wrong to sale the state store system in order to finance stadiums across this Commonwealth. I, personally, would not want to be a part of people, clerks, people that work within the state store system, losing their jobs, people that have dedicated their careers this Commonwealth of PA, taxpayers in this Commonwealth, lose their jobs in order to provide funding and financing for a stadium such as the one that we're discussing here in the City of Pittsburgh. This agreement, I think, the resolution before us allows us some flexibility in writing the agreement. Obviously, when we pass the operating budget, we give the Mayor the ability to have employees follow his direction. However, when we ask for agreement or agreements and have consulting services, we now become part of the process. What I have before us will make sure that in no way that our lobbyist will be working in Harrisburg to sale the state store system in order to finance a stadium here in the City of Pittsburgh.

If you recall, I did ask the Administration to send over a memorandum stating their position. The memorandum did not come. I thought the amendment before us was well needed.

On that note, I'd like to move to Section 2 for passage.

MR. HERTZBERG seconded the motion.

Which motion prevailed.

The Chair:

Any other discussion? Councilman O'Connor.

Mr. O'Connor:

I think I agree with this but I was curious, does this tie our hands for even knowing what's going on in Harrisburg? Is this a state related issue?

The Chair:

I know what it is.

Mr. O'Connor:

Where does this leave us? Are you saying the Mayor's people can also lobby without Mr. Kolling?

Mr. Ricciardi:

Well, obviously, I don't have control over the employees that Mayor Tom Murphy has in his office or within the City of Pittsburgh. But, we here can have control over any consulting services that we let here in these Chambers. What I'm saying is my personal belief is that it's wrong. It's wrong to allow Pennsylvanian's lose their jobs, people that are blue collar or white collar who are making just a decent living wage here in the State of Pennsylvania in order to finance ball stadiums. It's very clear cut what I'm saying here Mr. O'Connor and that is, that if we enter into a contract with Charles J. Kolling, that he, in no way, can lobby or work to sale the state store system in order to finance stadiums. As a matter of fact, the resolution doesn't even mention the stadiums. What the resolution says is that Charles J. Kolling shall not provide services to any person or entity in connection with the promotion of the sale, reorganization, privatization, contracting out of the state liquor store system operated by the Commonwealth of PA. One can characterize it as tying our hands and that's probably a fair characterization if someone would like to make that. What I'm saying is that I believe the state liquor store system should stay as is, status quo, because I know the agenda. The agenda of this Republican Administration is to sale them off, kick people out on the streets, have them lose their wage in order to finance stadiums here in the City of Pittsburgh and elsewhere and I'm opposed to that. No way am I going to be part of it. If we allow our lobbyist to have free rain.

if we allow our lobbyist to carry out an agenda either by this Administration or by any other people or person that he contracts with, we're sort of part of that and I don't want in any way, especially around the holidays, to be part of that type of deal.

The Chair:

Any other discussion?

Obviously, I'm supporting the resolution and the amendment. Obviously, I would also like to add other issues, such as school vouchers and other things that I don't think necessarily Kolling should be lobbying on given the financial constraint in public education in the public wealth. But, I will gladly accept the limitations of this amendment because I think there is something afoot. I'm very skeptical about what the agenda is of the Ridge Administration. I'm all for the state coming forward similar to what they've done in the past under democratic governors with the Strategy 21 leadership and funding, major capital funding economic committed regional to development that has, certainly, in the past been a boone to the City of Pittsburgh. I would hope that there would be a similar commitment by state government in terms of financing the needed expansion of the Convention Center, another major hotel, transportation issues to the airport. We down the list of major developments that will affect the City of Pittsburgh and the region that we, rightfully, deserve some consideration from state government.

What I resent most is the backhanded way in which the attempt is by the Republican Administration is to,

basically, suggest that the only way that we can get a state level of commitment is the out right sale of the liquor store. First of all, it is no secret, it is definitely a tax increase. For the Ridge Administration to say we're going to sale the state store and we're going to help fund the construction of a new baseball and a new stadium or the like and not have a way to subclant those millions of dollars that go to everything from the state police to earlier childhood When you add up the development. millions of dollars that come from the state stores and go for a variety of public safety human service initiative responsibilities, you're really talking about a significant tax increase either on the backs of business or the wage tax earnings and the state if those payments are going to continue to those agencies. I feel very strongly likewise about this issue. From the urban area, I just think it's a bad mistake. I think it'll be a detrimental impact to inner-city neighborhoods to have so called convenient stores administering and selling alcoholic beverages.

Any other discussion? Councilman Hertzberg.

Mr. Hertzberg:

I'd like to have my comments brought forward. I'm supportive of the bill as amended.

The Chair:

Councilman O'Connor.

Mr. O'Connor:

The only word I was concerned about is possible reorganization. I agree with you. I think this governor really

misled this region when he, at least, eluded to paying for half of anything, new stadium or convention center and then came back with only one-third and only if the state stores were sold. I think he really misled us, maybe prematurely. The chance of selling the state stores are very slim to none. I think they've been talking about that for many, many years. I will go along with this. Again, I will be very critical of this republican governor for misleading this region and going as far as we did presuming we had half the money coming from the state without the sale of the liquor store.

Mr. Ricciardi:

Mr. President, if I could just Peggy McCormick, correct the record. Barry Ditchus handed me a letter that's dated December 23, 1996 from Charles J. Kolling and I apologize for that. Obviously, it came in early this morning. It says, specifically, Councilman Ricciardi requested confirmation that I will not on behalf on the City or my clients, see attached for the sale of the state stores -requested confirmation that I would lobby on behalf of the City or my clients for the sale of state stores. So, Charles J. Kolling is in agreement with the Administration. Hopefully, I'm sure he's contacted the Administration that he will not lobby for the sale of the state stores. However, my amendment still stands. With my amendment now, obviously, will be part of the legal binding contract between the two. So, I'm very pleased, obviously, to receive this letter dated December 23, 1996 from Mr. Kolling.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

Mr. President, the question for Councilman Ricciardi, I was not able to be at the Standing Committee's Meeting to discuss this, but this amendment I am assuming is new. My question is, once Mr. Kolling -- okay, so, we have his commitment that he's not going to lobby for privatization or sale of the state liquor store system, but once he provides according to your amendment this list of entities that he is in contract with or whatever, if one of those entities happens to be an entity that is pushing to lobby for something that maybe this Council body, maybe me personally is not comfortable with, then, what do we cancel his contract. I mean, this is nice, but what happens if he says, I'm going to do what I want to do or maybe the Administration wants to push it. I don't know what's going to happen.

Mr. Ricciardi:

The third part Section 2 says that violation of these provisions shall be caused for immediate termination of this agreement. If Mr. Kolling, himself, in anyway lobbies for the sale of the stores, he would be in violation of the provisions and we could have determination of the agreements.

Ms. McDonald:

My question is concerning the list. Once he provides the Mayor this list, then what?

Mr. Ricciardi:

Which he says by the way of this December 23rd letter.

Ms. McDonald:

So, all those entities listed are in sync with this amendment?

Mr. Ricciardi:

Right. Just for clarification, the way I would even in any way interrupt it is, if he did work for a certain entity that was lobbying for the sale, obviously, I wouldn't in any way push for termination of the agreement if he was not part of the lobbying effort. He, himself, cannot be part of the lobbying effort. He's a very effective gentleman and if he, himself, was part of the lobbying effort it would have a good shot of winning over certain votes, As long as he, himself, I'm sure. personally, or his company, personally and professionally, is not part of a lobbying effort, then, we would not have a problem. I believe his letter here, it's in writing. I believe his word so I don't see a big problem at all. I don't think he'll part of any lobbying effort. However, I'd still like to see it part of the language of the agreement that the Law Department will draft.

Ms. McDonald:

That was my basic concern is that in all fairness to any consultant that we have. I mean, they're in business, they deal with a lot of people and I don't want this Council body to get so narrowly focused that based upon that one issue thing, I hate that.

Mr. Ricciardi:

And, I agree.

Ms. McDonald:

They're going to deal with all kinds of entities that we're not going to agree with. But, that's their job and as long as they're professionally able to separate it out and they understand where we're coming from and what we want him to do and not forward our efforts, I'm fine with that. I just wanted to make sure that we don't — it's not, necessarily, tying our hands, basically get someone that is too narrowly focused. Thank you.

The Chair:

Just by way of history here, Mr. while he's presently Kolling, employed by the county, there was a time when we initially employed Mr. Kolling. He was working both for county government as well as city government in addition to the port authority and several other agencies. I think, clearly, on this issue that Mr. Ricciardi is raising, I think the majority commissioners are incline to support the Ridge Administration's proposal for the sale of the state liquor store. While Mr. Kolling is not employed, rather than argue about who he happens to be working for at any given time, we're just saying we're not interested in paying this gentleman if he also has other responsibilities and loyalties to other companies or governmental agencies that he's working for. I think it's just trying to delineate the potential conflict.

Any other discussion?

Roll call vote on the amendment.

AYES:

Mr. Cohen

Mr. Onorato

Mr. Hertzberg Ms. McDonald Mr. Ricciardi Mr. Udin

Mr. O'Connor

Mr. Ferlo

(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill is amended. Any discussion on other issues in the committee?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll.

AYES:

Mr. Cohen Mr. Hertzberg Ms. McDonald

Mr. O'Connor

Mr. Onorato Mr. Ricciardi Mr. Udin

Mr. Ferlo (Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

All of the bills including Bill 1446 as amended have received the legally required number of votes and have been approved finally.

Committee on Planning, Zoning and Land Use, Councilman Onorato.

Mr. Onorato:

Mr. President.

The Chair:

Thank you Councilman Onorato.

MR. ONORATO PRESENTS:

Bill No. 1494

Report of the Committee on Planning, Zoning and Land Use for December 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Nο 1267 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by from "R2" changing Two-Family Residence District and "M2" Limited Industrial District to "C4" Commercial District certain properties having frontage on both sides of Chatham Square, on the northerly side of Forbes Avenue, on the westerly side of Marion Street, and the southerly side of Watson Street, 1st Ward.

Also.

No. 1269 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7, by changing from "M2" Limited Industrial District to "I-C" Institutional-civic District all that certain property bounded by Forbes Avenue, Shingiss Street, Diamond Street,

Boyd Street, Watson Street, the westerly rear boundary line of Lots 366, 367 and 368 Block 2-F in the Allegheny County Block and Lot System, and Chatham Square, 1st Ward.

Also,

No. 1270 Resolution approving a conditional use exception under Section 993.01(a)A(9) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Duquesne University of the Holy Ghost for authorization to renovate and occupy an existing six-story structure at 711 Forbes Avenue for use of classrooms and administrative office space, with parking to accommodate 45 automobiles, on property zoned "I-C" Institutional-Civic District, 1st Ward.

Also,

No. 1436 Resolution providing for an Agreement or Agreements and/or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment, at a cost not to exceed \$30,589.98.

Also,

No. 1473 Resolution approving a condition use exception under Section 993.01(a)A(33) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Riverview Terrace Housing Partnership, L.P., for authorization to convert the existing four-story structure located at 2829 Bedford Avenue into 36

dwelling units for the elderly and 1 unit for a resident manager, with parking to accommodate 11 automobiles, on property zoned "R4" Multiple-Family Residence District, 5th Ward.

The Chair:

You have heard the reading and titles of the bills is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

All of the bills having received the legally required number of votes have been approved finally.

Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Councilman.

MR. HERTZBERG PRESENTS:

Bill No. 1495

Report of Committee on Lands, Buildings and Procurement for December 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1429 Resolution providing for a Contract or Contracts, or use of existing Contracts for the purchase of a camera remote control device and related camera equipment, and providing for the payment, at a cost not to exceed \$50,000.00.

Also,

No. 1430 Resolution providing for the letting of a Contract or Contracts, or use of existing Contracts, for energy related cost reduction projects for the Department of General Services, payable from Code Account 1134, Index Code 113407, Miscellaneous Services, Department of General Services, at a cost not to exceed \$45,000.00

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

On Bill 1429, I received information about the dispute about the camera being fixed and a little bit confused about the comments made by the

Director. I'm not sure what action to take, but if it's approved today, I'm going to have to abstain on the bill. This regards the expenditure regarding a camera.

The Chair:

Any other discussion? Councilman Hertzberg.

Mr. Hertzberg:

Mr. President, I'm also kind of confused about the process here for this new camera and given the late receipt of this information from our "B" contractor or "C" contractor relative to camera repairs. I'm going to make a motion to recommit this.

MR. RICCIARDI seconded the motion.

Which motion prevailed.

The Chair:

We can move this afternoon and then have a final action next week.

Thank you very much. Bill 1429 is recommitted.

Any other discussion on the remaining bills?

Roll call vote. If you're in favor of the bills, vote aye when your names are called. If you're opposed, vote no.

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo

(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill having received the legally required number of votes, have been approved finally.

Committee on Parks, Recreation and Youth Policy, Councilman Cohen for Mr. Cusick.

MR. COHEN FOR MR. CUSICK PRESENTS:

Bill No. 1496

Report of Committee on Parks, Recreation and Youth Policy for December 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1427 Resolution authorizing the Mayor and the Director of the Department of Parks and Recreation to change the name of the path around the Herron Hill Reservoir in Robert E. Williams Park to the Christopher A. Smith Walking Trail.

The Chair:

You have heard the reading and title of the bill, is there any discussion? Councilman Udin first for the district, then Councilman Cohen

Mr. Udin:

Thank you Mr. President and thank you Mr. Cohen for deferring. I just want to, again, have my remarks brought forward from the Standing Committee and thank Mr. and Mrs. Smith for joining us again today and also to, again, pay tribute to the work that Christopher Smith did in helping to renovate and restore the beauty of that park. It's one of the beautiful parks and sites in Pittsburgh and the work that he did here on Council with so many projects that he sponsored as a strong advocate for the 6th Council District prior to my taking office.

I also wanted to express appreciation to the very kind work of my colleagues who also served with Councilman Smith when he was on Council. Thank you.

The Chair:

Thank you so much. Councilman Cohen.

Mr. Cohen:

Thank you Mr. President. I also would like to have my comments brought forward and I would like to echo Councilman Udin's remarks and that is that this is a wonderful tribute to a former colleague and a friend who is a true asset to this body. His activism on behalf of the poor and needy and his insights on public policy were truly remarkable. I'm proud to honor him in this way and I'm certainly glad to see Mr. and Mrs. Hubert Smith in the audience. I know the next step will be to make sure that there is a visible and a fitting of public display at the walking trail. I know that that will happen. I just want to congratulate the Smith family. As

I said, I'm proud to vote in favor of this bill.

The Chair:

Councilwoman McDonald.

Ms. McDonald:

I don't have any comments to bring forward because I wasn't here last week to bring them forward, so I'll make them now. I just think it's an honor to be able to vote for this resolution. I did not serve on Council with Christopher Smith, but Christopher Smith was a friend of the family. We know of him personally. Again, it is an honor just to be able to vote for this. I look forward to when, I hope there will be a dedication ceremony, there usually is. When there is one, I will definitely be there in support of the Smith family and ask that this name actually reflects upon all the activism on the Hill and the whole notion. When I looked at Chris Smith, I looked at him as progressive. Again, it's nice to see that term attached to a walking trail/hiking trail in the Hill.

The Chair:

Thank you Councilwoman. Councilman --

Mr. Udin:

Can I give some information Mr. Chair?

The Chair:

Yes.

Mr. Udin:

I just wanted to point to my colleagues. Several of you have made reference to when it will be dedicated. There is a committee being pulled together to organize a formal dedication date. I think that it's tentatively scheduled in May around Chris' birthday and everybody will be notified of it.

The Chair:

May 19th. I know that because we have the same birthday.

Councilman O'Connor.

Mr. O'Connor:

I missed the Standing part last week too and I apologize. Again, for the Smith family who are here, this is a very tough time around the holidays, but I think it's a very fitting tribute. I served with him for almost two years, an outstanding individual and really I was most impressed with what he cared about, not only his district but the kids and the young people in his district he really served them well. We miss him and this is a very fitting tribute for him and I'm very honored to vote for him. I wish him and his family the best.

The Chair:

Thank you. Any other discussion?

Thank you so much. Councilman Udin I would ask that you communicate to all of us so we can help in whatever appropriate way. I want to especially say happy holidays and good morning to Mr. and Mrs. Smith, they're in the audience.

Thank you once again for attending the meeting.

Roll call vote.

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bill having received the legally required number of votes have been approved.

Committee on Public Safety Services, Councilman Cohen.

Mr. Cohen:

Mr. President.

The Chair:

Thank you Councilman Cohen.

MR. COHEN PRESENTS:

Bill No. 1497

Report of Committee on Public Safety Services for December 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1424 Resolution providing for a Contract or Contracts and/or Agreement or Agreements, or use of existing Contracts or Agreements for moving the Department of Public Safety's operations on Federal Street to other locations, at a cost not to exceed \$20,000.00.

Also,

No. 1425 Resolution authorizing and directing the City Controller to create a special trust fund, to be designated as the Domestic Violence Trust Fund (DVTF), for the deposit of grant monies received from the U.S. Department of Justice, or other federal/state government agencies and authorizing the use of monies deposited into said Trust Fund by the Department of the Mayor, Bureau of Information Systems for any and all expenses and salaries associated with the purchase of new/replacement computer equipment, supplies software and/or communications equipment, maintenance, professional services, analysis, design, development, programming, travel and/or training services, in conjunction with the feasibility, development, enhancement or implementation of automated systems.

Also,

No. 1470 Resolution providing for a Contract or Contracts and/or Agreement or Agreements, or use of existing Contracts or Agreements for the purchase and installation of operational equipment for the Bureau of Police, Department of Public Safety, at a cost not to exceed \$220,000.00.

The Chair:

You have heard the reading and title of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)
Mr. Onorato

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

Committee on Engineering and Construction, Councilman O'Connor.

Mr. O'Connor:

Mr. President.

The Chair:

Thank you Councilman O'Connor.

MR. O'CONNOR PRESENTS:

Bill No. 1498

Reports of Committee for Engineering and Construction for December 18, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1431 Resolution amending Resolution No. 74, effective March 1, 1996, entitled, "Providing for an Agreement or Agreements or use of existing Agreements and/or a Contract or Contracts or use of existing Contracts for the purchase of materials and equipment for Renovations and Maintenance of Various Public Buildings by increasing the total project allocation by \$150,000.00 from \$2,500,000.00 to \$2,650,000.00.

Also,

No. 1432 Resolution providing for an Agreement or Agreements or use of existing Agreements with a Consultant or Consultants for Construction Inspection Services for Various City Projects, at a cost not to exceed \$150,000.00.

Also.

No. 1433 Resolution providing for a Contract or Contracts or use of existing Contracts for Construction of Handicapped Ramps in Various Communities throughout the City of Pittsburgh, at a cost not to exceed \$200,000.00.

Also,

No. 1434 Resolution further amending Resolution No. 976, effective January 1, 1996, as amended, entitled,

"Adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant Program, and approving the 1996 through 2001 Capital Improvement Program, by transferring \$150,000.00 from Park Reconstruction Program to Building Maintenance Program.

The Chair:

You have heard the reading and titles of the bills, is there any discussion?

Hearing none, the bills are now ready for final action.

All in favor of the passage of the bills will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Onorato
Mr. Hertzberg Mr. Ricciardi
Ms. McDonald Mr. Udin
Mr. O'Connor Mr. Ferlo
(Pres't)

NOES:

AYES: 8 NOES: none

The Chair:

The bills having received the legally required number of votes, have been approved finally.

That concludes our Reports of Committees. Under Motions and Resolutions, we did approve the confirmation of the four individuals

appointed by the Mayor. Are there any other matters under Motions and Resolutions? Councilman Udin.

Mr. Udin:

I just want to take a moment Mr. President to thank the Administration and vourself for making my appointment to the Housing Authority of the City of Pittsburgh. As you know, the Housing Authority public housing in the City of Pittsburgh rest primarily in the 6th Council District and so it's a very important constituency of mine and it's very important to me personally. I just look forward to working with the Board of the Housing Authority and its Executive Director, Stanley Lowe, in implementing some of the very forward looking and optimistic plans they have for public housing in my district. It's a very important future that we're facing in public housing and in HUD and in housing in general in the City of Pittsburgh. I just want to thank everyone involved as well as Councilman Cohen for his support in my appointment to the Housing Authority. Thank you.

The Chair:

Thank you. Any other discussion? Any other matter to be brought before the body? Councilman O'Connor.

Mr. O'Connor:

I'd like to make a motion to cable cast the post-agenda January 14th concerning the City Controller's audit of the EMS.

The Chair:

Thank you and please make sure the Controller's Office knows about the post-agenda along with the other Administrative Representatives. Councilman O'Connor.

Mr. O'Connor:

Also, on behalf of all Councilmembers I'd like to thank and recognize our Officer Victoria Mahoney for her hard work with Toys for Tots. She led the FOP and raised a lot of items for the needy children. I just thought we'd want to recognize her for that.

The Chair:

Yes, let's give Victoria and all of our officers a hand. And, all the other volunteers that work with you. Thank you very much.

Any other matter? Councilman O'Connor.

Mr. O'Connor:

Last, but not least, my wife if baby-sitting my granddaughter and so she's going to watch today and I wanted to wish Kennedy and all the children out there a Merry Christmas.

The Chair:

Any other matter? I want to wish all of my colleagues a happy holiday. We do have to approve the minutes. Regarding our absent member, it's going to pain me to say this, but I will no longer make excuses or accommodate to Mr. Cusick's noticeable and glaring lack of participation as it relates to his elected duties, responsibilities, and commitments.

Mr. Cusick is my colleague and he's my friend, but he has a serious problem. He knows what the problem is. He must take action to deal with this problem. He is on a collision course. His friends, his family and most importantly his constituents to whom he was bonded with certain rights. responsibilities and benefits deserve nothing less. With that, I want to wish all of you a happy holiday and season's greeting. We have a Standing Committee Meeting this afternoon Chaired by Mr. Udin at 2:00 p.m. and we'll meet again next Monday at 10:00 a.m. This legislative session stands adjourned. Thank you.

ADDENDUM

- Councilman Hertzberg comments on Bill No. 1446 can be found in the Standing Committees Meeting minutes of December 18, 1996.
- Councilman Udin and Cohencomments on Bill No. 1427 can be found in the standing Committees Meeting minutes of December 18, 1996.

MUNICIPAL RECORD

Proceedings of the Council of the City of Pittsburgh

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Municipal Record

ONE-HUNDRED TWENTY-NINTH COUNCIL

JIM FERLO......President LINDA M. JOHNSON-WASLER.....City Clerk JOHN R. MASCIO......Deputy City Clerk

Pittsburgh, PA Tuesday, December 30, 1996

PRESENT:

Mr. Cohen Mr. Ricciardi
Mr. Hertzberg Mr. Udin
Ms. McDonald Mr. Ferlo
Mr. O'Connor (Pres't)

The Chair:

Good morning everyone. Would you all please rise for the Pledge of Allegiance and would you please remain standing for a moment of silent prayer so that we may have peace throughout the world.

We're very pleased to have a young student down here this morning with his dad, Joseph Kurpet. Joseph is a 5th grader at Greenfield Elementary School in Councilman O'Connor's district.

His dad his here, Joe, also, good morning. We want to thank you for leading us in the pledge of allegiance and coming down here on your Christmas break. He likes to read and he likes the Steelers and he especially likes the Steelers given yesterday's results.

Joseph Kurpet:

I Pledge Allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God indivisible with Liberty and Justice for all.

The Chair:

Thank you Joseph. Our City Clerk would like to present you with a flag of our City and a flag of our Nation. I want to thank you and your dad, Rich, I called you Joe, I apologize, your dad, Rich, for being down here today. Thank you very much.

We have no Read and Adopted Proclamations and no guests to be honored this morning. As well, there are no formal presentations of any pieces of legislation this being the last official meeting of City Council for the year. I believe there are a couple of outstanding bills that we have from the Standing Committee Meeting of last week which will vote on today.

Are there any matters to be brought before the body under Reports of Special Committees or Unfinished Business? Hearing none, we'll move right to the voting on the bills Reports of Committee beginning with the Committee on Planning, Zoning and Land Use, Council Ricciardi for Mr. Onorato.

Mr. Onorato has scheduled vacation with his family out of town set and we excused him for today's meeting.

REPORTS OF COMMITTEES

MR. RICCIARDI FOR MR. ONORATO PRESENTS:

Bill No.

Reports of Committee for Planning, Zoning and Land Use for December 23, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1268 An Ordinance amending the Pittsburgh Code, Title IX, Zoning by changing from "R4" Multiple-family Resident District to "RP" Residential Planned Unit Development District. Certain property known as Aliquippa Terrace of the Housing Authority of the City of Pittsburgh having frontage along Burrell Street, Watsworth, Coring Court and Robinson's Court, 4th and 5th Wards

The Chair:

You have heard the reading and title of the bill, is there any discussion?

This is a rezoning on Aliquippa Street so we can move ahead. Any discussion?

Hearing none, the bill is now ready for final action.

All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Ricciardi Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Ferlo Mr. O'Connor (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bill having received the legally required number of votes is approved finally.

Committee on Lands, Buildings and Procurement, Councilman Hertzberg.

Mr. Hertzberg:

Mr. President.

The Chair:

Thank you Mr. Hertzberg.

MR. HERTZBERG PRESENTS:

Bill No.

Reports of Committee for Lands, Buildings and Procurement for December 23, 1996 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

No. 1429 Resolution providing for a contract for the purchase of a camera remote control device and related equipment, at a cost not to exceed \$50,000.00.

The Chair:

You've heard the reading and title of the bill, is there any discussion?

Hearing none, the bill is now ready for final action. All in favor of the passage of the bill will vote aye when your names are called. If you're opposed, vote no.

Will the Clerk please call the roll?

AYES:

Mr. Cohen Mr. Ricciardi Mr. Hertzberg Mr. Udin Ms. McDonald Mr. Ferlo Mr. O'Connor (Pres't)

NOES:

AYES: 7 NOES: none

The Chair:

The bill having received the legally required number of votes has been approved finally.

That concludes our Reports of Committee. Under Motions and Resolutions, are there other matters to be brought before the body?

Hearing none, Happy New Year.

This legislative session stands adjourned. Thank you.